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## Surf Coast Shire Council Meeting

Wednesday, 26 April 2023 at 6pm

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MAYOR LIZ PATTISON: Hello and welcome, everybody. It's now 6 o'clock, so we'll get into tonight's Council meeting.

Good evening and welcome to our April Council meeting. I'm Mayor Liz Pattison and it's a pleasure to welcome members of the community into the chambers tonight. It's great to see so many people here with a keen interest on the topics on our agenda.

This meeting is also being live streamed, so a big welcome to those tuning in online, and of course welcome to my fellow Councillors, noting that we have two Councillors that will be online tonight, Councillor Wellington and Councillor Allen. Live captioning will accompany the live stream and the Council chamber is fitted with a hearing loop which transmits directly to hearing aids. We hope that this assists those who may be having hearing difficulties.

The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung people and the Gulidjan and Gadubanud peoples of the Maar Nation. I would like to acknowledge that here in Torquay at the main Council office we are gathered on Wadawurrung country. I pay my respects to Elders past, present and emerging. The Wadawurrung people have nurtured and protected these lands and waterways for thousands of generations and I am so grateful for the opportunity to live and work in such a beautiful part of the world. We also wish to acknowledge the traditional owners of the lands on which each person is attending and acknowledge any Aboriginal people who may be viewing the meeting tonight.

There were fitting and moving tributes across the Surf Coast Shire yesterday for Anzac Day. I was pleased to attend the Torquay dawn service, which was very respectful and an amazing sunrise, and also the Torquay RSL service and pay my respects to those who have served our country. I was glad to hear that other Councillors and senior officers were doing the same around the shire. Recognising these sacrifices is important and I thank our community for turning out and showing such strong support across the event.

Also, this month the World Surf League returned to Bells Beach for the 60th anniversary of the Rip Curl Pro. I was thrilled to attend the welcome event, which featured a welcome to country, smoking ceremony and cultural education session by Wadawurrung traditional owner Corrina Eccles. The welcome event also included the presentation of the 2023 Gail Couper and Wayne Lynch Surf Coast Rising Star Surfing Awards, which is an initiative that Council launched in 2017 to recognise the highest ranked young local surfers. It was also really great to see the way access and inclusion was promoted at the Rip Curl Pro this year thanks to a strong collaboration between Council and

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Surfing Victoria. It's really great to see such successful events hosted in our region again this year and I'm so pleased to see the wonderful initiatives that have come through the Council and Surfing Vic initiative around accessibility and inclusion for the community.

But now on to our agenda. We have many items to attend to tonight, so let's get that under way. So Council meetings operate according to our adopted Governance Rules, which include the following procedures. During the meeting, the mover of a motion or an amendment may speak for a maximum of 5 minutes to open the debate and then a further 2 minutes to make a closing statement and other Councillors, including the seconder, may speak to a motion for no more than 3 minutes.

We now as part of our process recite the pledge and I will do that on behalf of our Councillors: as Councillors, we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

Apologies - we have an apology from Councillor Stapleton and that was confirmed from our executive assistants to the Mayor on the 19th of April. Can I please have a mover for that apology? Thank you, Councillor Hodge. And a seconder? Councillor Gazzard. All those in favour. And the motion is carried unanimously.

Confirmation of minutes - can I please have a mover and a seconder to confirm the minutes of the Council meeting held on Tuesday, the 28th of March 2023? Councillor Gazzard - is that as per the recommendation? Thank you. And a seconder? Councillor Bodsworth. All those in favour? And the motion is carried unanimously.

Do we have any leave of absence requests from Councillors? No.

Declarations of conflicts of interest - if a Councillor or an officer has a conflict of interest, they must declare it now and do so again just prior to the item being discussed. The Councillor and/or officer will be requested to leave the chambers, or for those online to be placed by the host in a virtual waiting room, whilst the matter is being considered. Once the matter is resolved, the Councillor and/or officer will be returned to the meeting. Are there any declarations of conflicts of interest in relation to tonight's agenda? No?

Presentations - I have been notified that two Councillors would like to make presentations tonight, Councillor Schonfelder and Councillor Bodsworth.

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Councillor Schonfelder, I understand that you have two items you would like to present on. Please begin when you're ready.

CR ADRIAN SCHONFELDER: Thank you very much, Mayor. I'd like to pay tribute to Gayle Anderson, who was the owner of the Moriac General Store and whose father was Max Harvey and the Harveys operated the general store in Moriac for almost a century and I think that's wonderful service and Gayle has recently retired and when personalities were given out, her and her father were in the front of the row when it comes to that and a very passionate Geelong supporter too, which I very much like and Gayle will be missed from Moriac, but she lives in Torquay, so I imagine she'll be still around and enjoying life in her retirement.

Secondly, I'd like to pay tribute to the late Sue Peters from Gherang who sadly died recently and Sue was very much interested in military history, after we have acknowledged Anzac Day, and she used to actually lend me books on different stories from the Pacific theatre of the Second World War. Sadly, her son died at a very early age on Cape Otway Road in the early 1990s and I knew her son and I have to say that there's a saying that only the good die young and that is so true. So I hope that she rests in peace and condolences on behalf of the Council to the Peters family.

MAYOR LIZ PATTISON: Thank you, Councillor Schonfelder. Councillor Bodsworth, would you like to make your presentation.

CR MIKE BODSWORTH: Thanks, Mayor. I'd like to acknowledge the death of Dean Lobby from Anglesea a week ago and pay my condolences to his family and friends, of which he had many, both around Anglesea and throughout the Geelong region. Dean was a fantastic guy. He was a passionate supporter of the Anglesea Football and Netball Club and he was a local footy umpire.

The first time I met him was when I joined the Anglesea Bike Park Committee of Management and Dean was a member of the first committee. He was just an absolutely passionate supporter of the outdoors. He was a disability carer as well and in fact he was one of the carers of Councillor Hodge's son, Connor, and he was just the kind of person who was always on the lookout for opportunities to help people and to help them enjoy a brighter day. The last time that I saw him he was at the footy club in Anglesea sorting waste and getting everything into the right bins, so he was just a guy who was always on the lookout for ways to help and to contribute and he'll be hugely missed. Thanks.

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MAYOR LIZ PATTISON: Thank you, Councillor Bodsworth. We have no submissions received for tonight, so we'll now move on to public question time. So in accordance with Council's Governance Rules, individuals are able to submit a question in writing to Council which will be answered tonight. If you have submitted a question and you're present in the gallery, which I can see a number of people are that have submissions, I'll invite you to come forward to read out your question and I or officers will respond to the question.

So Bob Carter, are you here tonight? No? I'll read out Bob's question and then we'll respond to that. So Bob has put forward two questions: "What is Council's position on the Indigenous Voice to Parliament"; and his second question is, "Does Council plan on using ratepayers' money to push any campaigns regarding the Voice?" Now, given that the Voice is on our agenda tonight, I'll be passing this to our CEO to respond to.

MS ROBYN SEYMOUR: Thank you. Hi, Bo. Thank you very much for your questions. Council will consider its position on the Indigenous Voice to Parliament at tonight's Council meeting. The Council report item 4.2 of the agenda includes a recommendation that Council supports constitutional recognition of Aboriginal and Torres Strait Islander people through a Voice to Parliament enshrined in the Australian Constitution called the Voice. Councillors will have an opportunity to consider and vote on this item tonight.

Whilst the report recommends Council adopts a position of support, it also recommends that Council does not in any way campaign for the yes vote. Instead, the report recommends that Council limits its role to encouraging democratic participation. This would include providing information about the referendum process and sharing information from First Nations people with a focus on education about the Uluru Statement from the Heart.

Council made a commitment to First Nations reconciliation in its current Council plan. This includes a budget allocation for education and consultation and other works pertaining to reconciliation. No budget will be allocated to a campaign promoting the Voice outside of sharing the kind of information already mentioned. Thanks very much, Bo.

MAYOR LIZ PATTISON: Our next question is from Andy McCauley. Andy, did you want to read your question?

MR ANDY McCAULEY: Thanks, Liz. I have two questions. The first is about the Stretton Wetland. The Stretton Wetland is, as the Council notes, undersized. It has two inlets, both of them - and I've mentioned this many

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times - half full of sediment. The reason they're half full of sediment is that whatever actions the Council is taking are not working sufficiently.

Now, they are - I've walked through the estate and there's been work done. I see that a lot of the stormwater drains are covered. Great. The problem is that we've got 7 years to 10 years of this coming down and as I've said many times, the sand system, which is doing all the work for this system, is bigger than all of these constructed wetlands combined and my fear - and I don't know it's 100% certain, but my fear is that if the sand system moves from becoming - it was a water storage. It's become a wetland. If it becomes a floodplain, the Karaaf is seriously impacted.

Tonight you've got a recommendation to accept a proposal to limit the amount of stormwater. Now, while I might question the amount that is in that, the idea is great, but this is as much of a risk, in my view, and therefore my question is what is the Council going to do - and by the way, Chris, point 9 is in the design flow report. That's where I got it from. So the wetland that is not yet approved in the design flow report is listed as point 9 of the catchment. You questioned that in your email to me, where did I find it out? That's where I found it out.

MAYOR LIZ PATTISON: Thanks, Andy. I think --

MR ANDY McCAULEY: I presume that came from --

MAYOR LIZ PATTISON: -- we'll stick to the questions we've got, so if --

MR ANDY McCAULEY: My question is therefore this is serious and I believe it should be evaluated alongside the others. I mean, it is another option. Option 2 ain't to do nothing.

MAYOR LIZ PATTISON: Mmm-hmm. So just to paraphrase, I think from what you've got here, "What is Council going to do to ensure the Stretton developer meets best practice standards for the whole of this construction period."

MR ANDY McCAULEY: What is the council doing - to the Stretton developer. It's got nothing to do with your budget. They're the people. Both those inlets have no sediment pit.

MAYOR LIZ PATTISON: Thanks, alright.

MR ANDY McCAULEY: The matting was put down over the top.

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MAYOR LIZ PATTISON: Thanks for your question. I'll pass that on to our CEO to respond to.

MS ROBYN SEYMOUR: Thank you, Andy, and we are very appreciative and always grateful for your advocacy around the Karaaf and also in terms of your work and commitment to holding us accountable to having an effective stormwater management system.

Best practice to address the issue of sediment at the source is really looking at our subdivisions and our building sites. So on this front, Council officers, as I think you know, are inspecting the construction within the Stretton development works on a weekly basis to ensure compliance with their construction management plans. We check that appropriate sediment management controls are in place and that they're installed correctly.

In addition, officers are inspecting house building sites for poor site management practices. Builders are required to ensure they clean the kerb areas and their building sites regularly. At the existing Stretton Wetland, Council requires a sediment cleaning schedule at the Stretton Wetland that ensures the sediment pit is empty before it reaches capacity.

MR ANDY McCAULEY: It's not there.

MS ROBYN SEYMOUR: Future Stretton development will require the construction of an additional wetland upstream. Council will shortly have its updated water sensitive urban design standards completed and developers will be required to comply with these standards.

MR ANDY McCAULEY: My second question is in the same vein, I guess. The report as outlined tells us nothing, and this is one of the issues with people like me. So 1.42 million includes something to do with the pump, something to do with the - we've got no idea what you're doing. I've already - I mean, the design flow report I've got real concerns about, but even so, it's got a list of things that it says are important. But reading your report, I've got no idea what you're going to spend the 1.42 million on. I don't know whether it's going to help or not.

I do believe that fixing up these wetlands is important. I've said that for a long time. But as a consultant, as frustrated as you might be having people like us putting our complaints in, and I know that can be frustrating, just try being on this side of the fence - seven years, no involvement in decision making. We get informed when it happens, but we're not included. We're told

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we're influential. That's an issue and remains an issue and there's 11 of them and not one of them is working.

MAYOR LIZ PATTISON: Was there a question?

MR ANDY McCAULEY: The question is what action is Council going to take to ensure that these constructed wetlands will meet - you want to be an environmental leader. What we know from the report is that none of these wetlands can meet the standards, none. But you're not including any analysis to extend the wetlands, none of that. Option 2 is to do nothing. You've got - and I'm not knocking option 1. I'm just saying that there's a lot of options and there's a lot of risk.

MAYOR LIZ PATTISON: Thanks for your question, Andy. We'll pass that one on to our CEO, Robyn Seymour, to respond to in relation to what will Council be doing to ensure that the constructed wetlands will meet their best practice environmental management targets.

MS ROBYN SEYMOUR: You raise - there was a lot more issues in there than that specific question, Andy, but maybe I'll start with a question. Where we have direct control over constructed wetlands, we are making, or preparing to make, improvements. These improvements include work such as cleaning of sediment basins to ensure maximum functionality; clearing and cleaning of transfer swales between sediment basins; weed control and revegetation; removal of blockages by vegetation and other material to outlet pits; improvements to access points, including sediment basins and pits for better ongoing management and maintenance; reviewing the depth of certain sections of the existing wetlands to ensure appropriate depths for optimal water plant growth and sediment collections.

We do acknowledge that it's only in the past three years that we've brought our constructed wetlands into our asset renewal program and so we are in a catch-up phase. Our new proactive maintenance contract should reduce the issues identified through our three-yearly audits. Where we don't have direct control over the constructed wetlands, our focus is on ensuring that developers meet their obligations consistent with the plans that were approved by Council.

We do appreciate your advocacy and your continued advocacy and Andy, I thank you for your questions tonight.

MR ANDY McCAULEY: Can I make any comment on that?

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MAYOR LIZ PATTISON: We have got still another three - two other questions and we have 15 items on the agenda, so we can engage with you at another time, but the question --

MR ANDY McCAULEY: So that's no, is it?

MAYOR LIZ PATTISON: Yes. Thanks. Thanks for coming in, though, Andy. I appreciate you coming. I'm happy to talk to you with emails and other things at other points.

Our next question is from Darren Noyes-Brown. Darren, did you want to read your question? Thanks.

MR DARREN NOYES-BROWN: Good evening. Thanks, everyone. Well, thanks for the opportunity to ask some questions. They're two questions both in relation to the same issue as Andy on the Karaaf update. So question 1 is, the Council's report by Design Flow says a constructed treatment wetland system is generally considered to be in a functional condition providing that the following key wetland performance indicators are met: minimum 80% water plant cover; maximum 0.35 metre extended detention depth; outlet control, example riser pipe or weir with no blockage with 48 to 72 hours retention time; sediment basin has minimum free water depth plus adequate storage and inlet and outlet pipes with no blockages.

Has Council taken or will Council be taking action to ensure all the above criteria are being met in all of the Torquay North constructed treatment wetlands notwithstanding other parts of the report that show these treatment wetlands are a quarter to a half the size they need to be?

MAYOR LIZ PATTISON: Thanks, Darren. I'll pass that on to our CEO.

MS ROBYN SEYMOUR: Darren, thanks very much for coming along tonight and also for your advocacy for the Karaaf Wetlands and the work that we're doing and I understand you will be on our community reference panel, which is fantastic, so thank you for your interest in that.

I think I addressed some of what you were talking about in my last answer to Andy in terms of some of the really specific pieces of work that we're doing to ensure that our wetlands are functioning in the way that they need to, so in a more general kind of way, where we have direct control of constructed wetlands, we are making, or preparing to make, improvements and so I talked a bit about that previously. Where we don't have direct control of constructed

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wetlands, our focus is on ensuring that developers meet their obligations consistent with the plans approved by Council.

MR DARREN NOYES-BROWN: Okay. So will you be ensuring that before you take over Stretton and the Dunes Estate constructed wetlands that they're all up to standard and not be giving back their bond money before that's done because that's what's happened in other instances, such as Zealy Sands.

MS ROBYN SEYMOUR: So the work that we're doing with our developers is to ensure that their systems meet the plans that we approved and so we're working through what that looks like, Darren, in terms of what that means around what the handover and the future looks like and the functioning of those wetlands.

MR DARREN NOYES-BROWN: Okay. Thank you. Question 2: it appears Council has considerable focus on the stormwater volume issue, but another significant risk to water bodies downstream of the Dunes and Stretton, including Zealy Sands, the Sands and the Karaaf, is sediment deposition. The Melbourne Water WSUD engineering procedures - and that's what basically guides all the design of these things - states that a developing catchment will discharge 50 to 100 cubic metres per hectare of sediment each year, whilst a developed catchment - that's a catchment with all the houses built on it - discharges 1.6 cubic metres per year. That's a vast difference.

The estates such as Stretton and the Dunes are mostly yet to be developed with dwellings and will discharge huge volumes of sediment over the next five or so years into undersize constructed wetlands and sediment basins which are also grossly undersized or non-existent. Council's Design Flow report says on page 12, "an obvious response is to make the systems bigger so they can treat more stormwater and achieve best practice treatment outcomes". For two years, community members have been raising the idea of building additional constructed wetlands and sediment basins in the reserve between Splitters and Grinders Avenues in Torquay North, just downstream of those two estates. Costed at \$1.2 million, it fits the \$1.9 million budget. Why has this option not been included in the debate or been investigated by Council's consultants?

MS ROBYN SEYMOUR: Thank you. So the construction of an additional wetland is included in the scope of the projects to assess the diversion quality improvement options for the stormwater network. It is included as one of those options to explore.

We do believe there may be some issues associated with a wetland being constructed at that particular location and these will be assessed as part of the

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work that we have ahead of us. This will also include an independent assessment of the cost.

It is premature to conclude that constructing a new wetland, as you suggest, is feasible and should be prioritised ahead of other options. Our report that you referred to, last year's environmental report, concluded that reducing the volume of fresh water flowing into the Karaaf should be Council's highest priority. Therefore, our primary goal is to reduce the flows into the Karaaf to pre development levels. This is driving our use of the resources and the proposed use of the Federal Government \$1.9 million. We believe that we may have to make choices between spending money on diversion options and the quality improvement options. Thank you for your questions.

MR DARREN NOYES-BROWN: Okay, thank you.

MAYOR LIZ PATTISON: Thanks, Darren. We now have a question from Robert Bullen. Rob, did you want to come up and read yours.

MR ROBERT BULLEN: Thank you. My question relates to a lot of these issues that are currently being discussed but tries to take a bit of an overview of what are we trying to achieve in order to be able to make these difficult decisions between the number of priorities that we've got pressing. So it's something that the CCMA has actually done for quite some time, you know, very effectively and I'm just hoping that it might offer you guys a bit of a way forward to deal with some of the difficult questions where you've got a lot of work to be done, but very little money to actually do it.

So the Council has a value of environmental leadership. Back in 2020 there was quite a lot of work around establishing that, trying to get international recognition and statements like this in there, but unfortunately, we're seeing a number of almost independent activities incrementally degrading the environmental assets of the Surf Coast community, and we're talking about the Karaaf particularly, but also the Sands is a community asset as well. It's actually protecting the Karaaf at the moment.

To assist with the evaluation of any works, any investment, any development, would it be of value to firstly identify the key assets, so the Karaaf would be one of those, for example, then develop key criteria for their protection so that any activity can be assessed against those criteria and then the Council's success monitored, so over a five-year period you've got a goal - you know, the SEPP standards and things like that set goals as to what you get. You could actually - the community could see progress against those criteria and actually see improvement.

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The impression - and I've struck this in a number of environmental discussions I've had with the Council over the years, you know, a lot with rabbit control and some of the issues that I've been involved with, but it appears to the community that the Council's idea of success is to do something and rather than - and losing sight of the bigger picture, which is to actually - whether it be controlling rabbits or reducing the stormwater flows or reducing the quality or increasing the quality of the water of those stormwater flows. It would be good to just have that measure to help guide those decisions and also monitor progress as we go along and that would actually - you know, the idea of success rather than just doing something, we'd actually have that bigger picture that we could monitor the actions of the Council against.

These plans need to be bold, but measurable, wouldn't expect them to be done in one year, but it would also empower the Council and its officers to act decisively and show leadership. So I know the discussions with the developers are pretty tough. They've got some pretty well paid experts arguing against the Council officers. So having some nice clear measures that have been endorsed, you can use them to help you have those discussions with the developers and to highlight what the problem is. You know, incremental developments are very - well, this incremental degradation is just so obvious when you look at it over time. We've got to somehow put a damper on it. Perhaps by taking a longer-term picture we can start that process.

MAYOR LIZ PATTISON: Thanks, Rob, for that. I think the question was around that monitoring process and the like. So I think it's --

MR ROBERT BULLEN: Identify the assets, then put some measures against them.

MAYOR LIZ PATTISON: And have we considered that approach.

MR ROBERT BULLEN: Yes.

MAYOR LIZ PATTISON: Thank you for your question. I'll pass that on to our CEO to respond to.

MS ROBYN SEYMOUR: Thank you, Rob, and you do raise a really important point. I'm not sure if you've read our draft budget, but actually Council has proposed including funds in the draft budget which is being considered tonight to develop a state of the environment report.

MR ROBERT BULLEN: Right.

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MS ROBYN SEYMOUR: This aims to improve our understanding of local environmental conditions and the threats to our special environmental places. It will also aim to link to both Wadawurrung and Eastern Maar Healthy Country plans.

The project is being scoped in the hope that the project will be funded through the budget process and if it is supported, it is expected to include a special environmental places register to identify areas of significant environmental value within the Surf Coast. This will improve our ability across the organisation to ensure we make decisions that are mindful of potential impacts on these places and pending the adoption of the budget in June, this work will be completed in 23-24. So thank you for your question.

MR ROBERT BULLEN: Right. Could I ask a supplementary question?

MAYOR LIZ PATTISON: Yes, you've only asked - you've asked one and you're allowed two, so you can ask another one.

MR ROBERT BULLEN: Thank you. Would they include some of the measures, like the thing - you know, that process will identify the assets, I think, from what I'm hearing, but I think the important thing is to have the criteria for what an environmental leader might call them being protected. Does it include the protection - that protection element as well?

MS ROBYN SEYMOUR: I think that's an important part of it. Because we haven't - the budget is not approved yet and the project therefore is not approved, but --

MR ROBERT BULLEN: That's the intention.

MS ROBYN SEYMOUR: -- the team are starting to do the work on the scope and looking at those important places in the shire and how we ensure that we are protecting them and improving there where needed their health, then that's an important part of really understanding - a part of that process in working through what is our current state and what are our aspirations.

MR ROBERT BULLEN: Yes, fantastic. Thank you.

MAYOR LIZ PATTISON: Thank you. And that's the end of our question time for this Council meeting. I do appreciate everybody taking the time to put in their questions and come and present to us and I hope we have been able to answer those questions for you. The channels are always open, Andy and

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others, for communication, as with emails that have come through today, so I encourage you to continue engaging with us on these important issues.

We now move on to notices of motion. Councillors, we have received one notice of motion from Councillor Wellington for the meeting tonight, which relates to the Residential Nature Strip Policy and Guidelines. Councillor Wellington, do you wish to move this motion?

CR HEATHER WELLINGTON: I do, thank you.

MAYOR LIZ PATTISON: And is there a seconder for this motion? Councillor Allen. Councillor Wellington, do you wish to speak to the motion.

CR HEATHER WELLINGTON: Yes, I do, thanks, Mayor Pattison. At the most recent meeting of Council in March 2023, Council resolved to adopt the Residential Nature Strip Policy and Guidelines and those guidelines and policy were not in the form that should have been adopted and they clearly need more work. They're very inconsistent, they're unclear, and in their current form they're completely unenforceable, despite the community being told that they applied from the time of the decision.

On the night that that debate was held, I attempted to amend the motion, but only Councillor Barker supported me. Following the meeting, I spent several hours documenting the problems with the policy and the guidelines and I submitted a notice of rescission and governance officers from Council worked with me to develop that into this notice of motion which is before us tonight and which I'm assured is consistent with our governance rules. So I thank them for their time and commitment to sorting the issue out and I also thank Councillor Allen and Councillor Barker for their willingness to listen to what the problems were with that work that this Council had approved.

I did find it very difficult at the previous meeting. One of our Councillors when I tried to move the notice of motion - I've sort of reviewed the tape and it's very audible on the tape that that Councillor muttered, "It's ridiculous", folded their arms and made it very clear that they were unimpressed with my effort to debate the clarity, consistency and ability of those documents to be implemented.

The mover of the motion to adopt them was happy to accept my proposed changes to the motion, but the former aforementioned Councillor then sighed loudly and placed her head in her hands and Councillor Stapleton, who was the seconder of the motion, declined to accept the amendment.

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The only reason I'm saying this, eventually I got a seconder, which was Councillor Barker, and as I said, thanks to him and Councillor Allen for supporting me to get it up for further debate. I felt that it's a sign that we are not properly debating things in public meeting, obviously.

We were told during that meeting that staff had sought legal advice on the policy and guidelines to position the organisation to have something that was workable and if necessary enforceable and that I think, I believe, was interpreted by Councillors as saying that the documents had been lealed and therefore everything was fine and that was not correct. They had had some legal scrutiny, but it was not adequate to rely on it to that extent and they clearly weren't fine.

The only way that the Council can incorporate prohibitions on conduct by the community is to put those prohibitions in its local law and the local law amendment process is very specific, and for good reason, because if you're going to develop a law that's got penalties for non-compliance, it's not good enough to say, "Oh, this is a good start" or, "It's not perfect, but it's a great first attempt", and that was what was said at that meeting. And you can't create law in that environment.

I understand that officers now accept that the guidelines are unenforceable and that if they are to be incorporated in the local law, they must be subject to all of the relevant statutory processes and that will allow the inconsistencies and lack of clarity to be addressed, so I'm happy that this process - if this motion is adopted, that the problems with these documents can be addressed.

I want to make a few points. Council conduct rules are in place to ensure debate is both courteous and constructive and there's a pledge at the start of the meeting that probably was said tonight that says we'll abide by them and that didn't occur and there was no intervention to stop that conduct. There are four fundamental principles of democracy - they're accountability, open government, just law, and accessible and impartial justice - and you cannot achieve justice if a law is not known and not accessible and that's what happens when you develop laws buried in policies and guidelines that are not enforceable, and they shouldn't be enforceable because they haven't gone through a proper rigorous process.

Another point is that information provided to Councillors on which they rely to make decisions must be correct. Councillors relied on the sort of suggestion that the documents had been lealed to ignore my concerns, even though I am a lawyer myself with considerable regulatory experience. We need to learn from this.

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Immediately after the meeting, the shire rushed, I would say, to tell the community that the new policy and guidelines gave residents clear directions about when to apply for a permit. The reality is there is no process in place to apply for a permit, a permit other than what exists in the current local law. So with great respect to the Deputy Mayor, who was quoted in that, that now needs to be corrected.

I believe we can do better than this. This is along the lines of the questions about the Karaaf. We need to be an organisation that does things well the first time, not one that makes mistakes and doesn't learn from them, and I hope that we will learn this time.

We need to tell the community that these rules won't apply until a proper statutory process has been implemented and errors have been corrected and we need to use the time to correct those errors, make these documents useful, consistent, and to support the proper use of our nature strips in the shire which are a substantial environmental asset.

So I very much urge Councillors to support the motion. It corrects an error made at the previous meeting. It will enable the shire to properly inform the community of the unenforceable status of the policy and guidelines and the need for further review and it will allow that process --

MAYOR LIZ PATTISON: Councillor Wellington, you're well over time now, so I'll ask you to finish up, please. Thank you. Councillor Allen, do you wish to speak to the motion?

CR GARY ALLEN: Yes, thank you, Mayor. Councillors, I'm stating the obvious when I say that we are a group with varying circumstances and skills. Since joining the Council, I have valued Councillor Wellington's experience both as a Councillor and a practising lawyer.

We all understand her inability to attend meetings. I voted in favour of the adoption of the Nature Strip Policy and Guidelines at the last Council meeting, even though at the last meeting Councillor Wellington expressed concerns with the guidelines. I do not grasp legal matters on the fly. I need to give measured consideration to them. I've appreciated at all times to understand the matters that she raised. The day after the meeting I spoke with Councillor Wellington and she kindly agreed to provide me with the rationale behind her concerns.

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Our aim must be to issue clarity and enforceability in what is to become law and internal consistency in what we explain. Therefore, after due consideration, I agreed to - I'm sorry, agree that the policy does require further consideration and I agree to support this motion.

In the officers' report accompanying the motion, it is recognised that, and I quote, "the policy and guidelines would benefit from some commitments". These issues are clearly outlined in the rationale that is included in the meeting papers.

When the local law is amended, the community will again be consulted for feedback on all proposed changes. These guidelines will outline the Council's requirements and the standard of works which are acceptable to the Council and thus will be enforceable if incorporated into the local law, which is the normal process.

I will focus more on the - sorry, the focus more on the permit and non-permitted works clarifying when an actual permit is required. I am concerned about and will therefore highlight issue 6 in the rationale, legal responsibility. The adopted guidelines state that Council has no responsibility for illness or allergic reaction caused by ingestion or contact with the plants or produce. This may not be a correct statement. Negligence, a breach in our duty of care if it were to occur will be determined by the legal system, not by any disclaimer that we may wish to include in our guidelines.

We all recognise that this policy is a difficult one with differing expectations in different parts of the shire and it delves into legal matters that are best expressed through legal advice. I look forward to seeing the guidelines and policy after further refinement and I again thank Councillor Wellington for her advice. Thank you.

MAYOR LIZ PATTISON: Thank you. Do any other Councillors wish to speak to the motion? Councillor Hodge.

CR ROSE HODGE: Just quickly. I'd just like to thank the officers behind the scenes that have helped out especially with the rescission motion that was put up and then withdrawn and the work that they've done behind. They've tried to clarify it for us greatly, so I'd like to thank them for that.

MAYOR LIZ PATTISON: Thank you. Any other Councillors? Councillor Barker.

CR PAUL BARKER: I see this, and I quote from the agenda, "would benefit from some amendments as we screwed up". Please be honest. We screwed

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up with the bus when you first got elected that cost over \$60 per seat used and it was just brushed under the table.

This is a serious legal matter and I don't think we give due credit to the legal expertise that Councillor Wellington has. There seems to be an agenda being pushed by most, maybe some of the Council, in a direction that seeks to control the community at any cost.

We allowed a flawed policy to pass through this chamber last month. Councillor Wellington and I opposed this. You know what? When it comes to opposing items on the agenda of this organisation, when Councillor Wellington and I, or one of us individually, are opposing it, quite often that position is shared by a significant portion of the community. The issue falls outside of what I consider the remit of local council and/or the idea is fundamentally flawed. So you keep banging away doing whatever you want to do, we'll keep highlighting some of the issues, but just understand that there's some serious consequences from going down this path that you currently are headed on.

MAYOR LIZ PATTISON: Is that - thank you, Councillor Barker. Do any other Councillors wish to speak? Councillor Gazzard.

CR KATE GAZZARD: Thank you. I thank Councillor Wellington and the officers for the work they've done trying to improve our guideline and policy. I think part of the issue when we passed it last week was the - sorry, last month at the meeting, they were guidelines and not currently enforceable under the local law. The local amenity law had to be changed, which was still going to be part of that process, but this notice of motion formalises that. And I think the motion is sound. It's important that we have clarity, internal consistency and enforceability and so I'm happy to support the motion.

MAYOR LIZ PATTISON: Thank you, Councillor Gazzard. Councillor Bodsworth.

CR MIKE BODSWORTH: Thanks, Mayor. I also support the content of the motion. I believe that the outcomes outlined by the motion could have probably been achieved through other means, but I've got no doubt that they would be achieved through this motion as well.

The frustration that I have is not so much in the challenging of the Council's decision making or in the conduct of the debate. It's really about timing and the fact that it was a long period of development for this policy. The draft policy was released for public input in July last year. There's been a long period when we as Councillors and also Council officers have had to work on the policy to get it right.

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As Councillor Allen said, we all have different skills and experience that we can bring to bear as Councillors. Councillor Wellington has particular skills in that area. I have skills in certain areas and I've brought those to bear on the draft policy and did my best to get it right as I saw it, and I did let that time because I wanted to help the process get through in an efficient way to not have to backtrack and to not have to revisit things. So I regret the backtracking that's involved in this, but content wise I'm fine with it.

MAYOR LIZ PATTISON: Thank you. Councillor Wellington, would you like to sum up.

CR HEATHER WELLINGTON: Yes, thanks very much. I think I have different expectations from the other Councillors. I've sat on numerous boards, I've chaired boards over the years, and I personally expect that when a document is put forward to the governing body, that it has been properly - you know, I set a standard, actually, that it's been developed, that there is not internal inconsistency, that the community is not being told it will be implemented when it can't be because it's not in the local law, that there's not grammatical errors, that there's not, you know, all those sorts of problems, and they were all present in these documents.

The reality of what's been explained is, as Councillor Bodsworth put it, officers and Councillors have worked together on these documents behind closed doors and got to a point where they were happy - somebody is clucking or huffing, Mayor Stapleton, I can hear it - Mayor Pattison. I wonder if we could ask for some order --

MAYOR LIZ PATTISON: No, I can't hear anything.

MS ROBYN SEYMOUR: Sorry, that was me ruffling my papers.

MAYOR LIZ PATTISON: There's no-one huffing or clucking.

CR HEATHER WELLINGTON: Well, I'm glad. Thank you for that very much because actually at the last meeting there was actually a comment about "this is ridiculous" and it's not ridiculous. It's about good practice.

So from my perspective, I'm pretty surprised to see things come up to us that are just fundamentally - we're a regulatory body and we put something up that's totally inconsistent with our regulatory role.

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Councillor Allen promoted me to a practising lawyer. I'm not actually at the moment. I'm not - I haven't got a practising certificate and I'm actually not here to provide legal advice to the council, but I do appreciate the promotion, but I do have legal qualification and experience, obviously, and it took me about six hours to go through that document and work out what the problems, which were sort of inherently obvious to me, but to actually pick them out and describe them and show what was wrong, and the officers agreed that every point I raised was correct.

That's not my job as a Councillor. I want to be out in the community dealing with people. Whoever said I can't come to meetings, I think that was Councillor Allen. One of the reasons is because they're always in a time when I work, and I do work, I'm at work at the moment, but they're also quite hostile to me and that hostility was demonstrated at the last meeting and I'm not copping that, I won't cop that, so I don't do that. So I don't come to meetings.

So it's pretty rich to complain that I haven't shared my thoughts at briefings when my ideas at briefings have always been not accepted. So --

MAYOR LIZ PATTISON: Councillor Wellington, your --

CR HEATHER WELLINGTON: -- I'll be very glad if people vote for this motion tonight, and we'll do it properly next time, but I hope we learn from this and we don't have a similar situation in the future where we get poor documents.

MAYOR LIZ PATTISON: Thank you, Councillor Wellington. You're well over time now. We'll put the motion to the vote. All those in favour. And all those opposed. And the motion is carried.

CR HEATHER WELLINGTON: Can I ask what the vote was, Mayor Stapleton, and who opposed it, please?

MAYOR LIZ PATTISON: It's Mayor Pattison.

CR HEATHER WELLINGTON: Mayor Pattison, I'm sorry.

MAYOR LIZ PATTISON: Yes, so it's 6-4 and two opposed.

CR HEATHER WELLINGTON: Six supported and the two opposed were who, Councillor Hodge and --

MAYOR LIZ PATTISON: Oh, sorry --

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MS ROBYN SEYMOUR: 5-3.

MAYOR LIZ PATTISON: -- there's only eight Councillors, 5-3, sorry.

CR HEATHER WELLINGTON: Can I ask who opposed it? Sorry, it's hard to see from here, actually. It's difficult to see in the chamber who's voting which way from here.

MAYOR LIZ PATTISON: You'd like me to list out who voted for and who voted against?

CR HEATHER WELLINGTON: I'm just interested in who opposed, like a division, but I don't need a whole division if you just tell me who opposed it.

MAYOR LIZ PATTISON: I think our Governance Rules don't allow divisions anymore because it's all recorded, is that - sorry, could we just clarify, governance?

OFFICER: They don't allow divisions, but you can state the names who opposed.

MAYOR LIZ PATTISON: Okay, it was Councillor Hodge, Councillor Pattison and Councillor Schonfelder that were opposed.

CR HEATHER WELLINGTON: Thank you, so it was 5-3.

MAYOR LIZ PATTISON: We'll now move on to the next item on the agenda. So we now move on to the reports. So we've got 4.1, Draft Budget Report 2023-24 for Public Exhibition. This item seeks Council's endorsement of the Draft Budget Report 2023-24 for public exhibition. Do we have a mover of a motion? Councillor Allen - is that as per the recommendation?

CR GARY ALLEN: Thank you, Mayor.

MAYOR LIZ PATTISON: Thank you. And do we have a seconder? Councillor Barker, thank you. Councillor Allen, would you like to speak to the motion.

CR GARY ALLEN: Thank you, Mayor. The purpose of this motion is to activate the processes to place the 2023-24 Surf Coast Shire budget on public exhibition until the 22nd of May. Tonight I wish to make some general observations, but what we are primarily interested in is the community's thoughts, with the hearing of submissions scheduled for the 30th of May.

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The budget details our income from general rates outlining the differential weighting system, municipal charges, service rates and charges. It describes our outlays on services and initiatives in line with our council plan and our 10-year cash standing.

I urge residents when reading the documents to keep in mind several factors: firstly, that our general rate charge is capped by the State Government through their rates policy at a maximum of 3.5%. Inflation was announced today currently running at 7%. So in other words, our expenses are increasing at double the rate of our rate income.

Secondly, there are items of expenditure in the budget that are mandated by the Government that we need to juggle the often competing aspirations and needs of the community. And finally, we do achieve efficiencies under the three strands of our business report and program giving in this budget an estimated saving of 0.33 million dollars.

The report records that the structural deficit for this budget is \$18.3 million, which is largely due to the planned transition of shire assets to the Great Ocean Road Coast and Parks Authority, an example of a policy that we do not control. For the financial year 2023-24, we have a small unallocated cash surplus of 0.6 million dollars, which is important when considering the longer-term impact of this budget.

Despite the many challenges we face, including our growing population, the rapidly rising cost of construction and maintenance, and the uncertainty of the supply chain, our officers have provided us with a solid framework in which to maintain a sustainable financial position and they must be congratulated. Highlights in the budget include an allocation for new capital works to the value of \$16.3 million; \$15 million allocated to road upgrades, maintenance and renewal; starting the major upgrade to the Winchelsea pool; the realisation of the Surf Coast Aquatic and Health Centre, and we trust with the tenders we receive it will be affordable; our commitment to the renewal of our assets growing the annual allocation for asset renewal by 9%; and importantly, the Council's hardship policy so that if required, residents can contact the shire and look at relief options or payment plan options.

There are many initiatives in the draft budget which I'm confident my fellow Councillors will highlight this evening. I recommend this draft budget and I urge residents to provide us with their feedback. Thank you.

MAYOR LIZ PATTISON: Thank you, Councillor Allen. Councillor Barker, do you wish to speak to it.

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CR PAUL BARKER: Thanks, Mayor. I'll be brief. I'm happy to support the motion as it's procedurally sound. There are some glaring issues, though. I don't think Coombes Road and Messmate Road intersection upgrade is essential. There's going to be a rate rise at a time when I think rate rises are especially cruel, and increasing grants where hardworking ratepayers will fund pet projects of Councillors and officers and the financial forecasts are based on factors that I think are only going to get worse over the next decade, meaning the outcome for Council will be financially disastrous. Maybe because many of my colleagues here love declaring emergencies maybe we should declare a financial emergency, hold all the wasteful spending. I still probably wouldn't support it because I despise alarmist policy making.

Now, the discerning ratepayer and resident would be reading this report and noticing I have not been at many of the briefings that formed the development of this budget. Cost of living pressures are impacting me and having these briefings during working hours is not only inconvenient, but totally dismisses those of us who have to work. Additionally, it has been proven since this Council's election nearly three years ago my contributions are not wanted or valued.

I'll continue to attend Council meetings and highlight the economic lunacy here and will always defend against rate increases that seem to be an addiction that cannot be stopped, as I've mentioned with other matters. You just keep going down this path you're on and get ready to look at the economic negative fallout over the next decade.

MAYOR LIZ PATTISON: I just wanted to make some comment. Councillor Barker, we do value your contribution and we have identified that many, many times. We don't necessarily always support every and all align, but everyone's contribution is valued. I just wanted to make that clear. Would anyone else like to speak? Councillor Schonfelder.

CR ADRIAN SCHONFELDER: Mayor Pattison, I'd like to move an amendment, please, that the rate increase be 3% and not 3.5% in the draft budget.

MAYOR LIZ PATTISON: Okay. Just hold with me for one moment, please. Do we have a seconder for Councillor Schonfelder's amendment? Councillor Barker. We will now need to - Governance, can we put that on the screen, please? Given that the debate has already started, it will need to go to the vote with Councillors as to whether that amendment is incorporated into the motion, so we'll put it on the screen.

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CR HEATHER WELLINGTON: Mayor Pattison, I'd like to hear the rationale for the amendment. Are we going to go through --

MAYOR LIZ PATTISON: It's going on the screen and once we've got it up on the screen for all to see, then Councillor Schonfelder can speak to that amendment. Then others will have a chance to speak and then we will vote on whether that amendment becomes the substantive motion. We'll just wait for Governance to put that on the screen, please.

OFFICER: (Inaudible).

MAYOR LIZ PATTISON: Actually, sorry, I'm just reflecting on the amendment that you're proposing, Councillor Schonfelder, and in fact there are some really significant implications for our budget in this - sorry, just let me finish, please.

CR ADRIAN SCHONFELDER: I should be allowed to speak on this amendment and not be lectured.

MAYOR LIZ PATTISON: Councillor Schonfelder, I'm just wanting to explain the governance in respect to this and actually this - I'm realising that actually this is an alternate motion. Because there are significant implications with changing from 3.5 to 3%, we would not be able to release the budget for consultation because the whole budget will need to be reprepared and all the tables repopulated, items will need to be removed from our budget, et cetera. So this is not a minor amendment and so, sorry, in the process of those couple of minutes that we have written it up on the screen, I have re-evaluated and this actually will need to be an alternate motion. So I encourage you to foreshadow your alternate motion, but it is too significant to be an amendment. Would you like to foreshadow this as an alternate motion.

CR ADRIAN SCHONFELDER: Mayor, this is an actual amendment, in my view, and the only difference with the draft budget would be a deficit from the less amount of rates revenue.

MAYOR LIZ PATTISON: So unfortunately, that's not the case. We would need to repopulate the budget and it wouldn't be able to go out for consultation. So my ruling is that this is not an amendment and this would be an alternate motion. Would you like to foreshadow this as an alternate motion?

CR ADRIAN SCHONFELDER: Yes, please.

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MAYOR LIZ PATTISON: Okay, thank you. So thank you, Governance, we'll go back to the motion as it was put forward by Councillor Allen. Would any other Councillors wish to speak to the motion? Sorry, Damian.

MR DAMIAN WAIGHT: Through you, Mayor, if I could just provide some advice to Councillors that this may place pressure on us meeting our requirements under the Local Government Act to have our budget adopted by June 30. So we've got an exhibition period built in at the moment, but if we were to go and rework the budget, that might place those timeframes under real pressure. So I just thought given it's a requirement of the Local Government Act that we need to meet, I thought that advice to Councillors at this time would be valuable.

MAYOR LIZ PATTISON: Thank you, Mr Waight. Would any other Councillors wish to speak to the motion? Just to clarify, it's the motion that was put forward by Councillor Allen. Councillor Gazzard?

CR KATE GAZZARD: Thank you. I will support the motion as it is by Councillor Allen. I think it's going out for consultation. Obviously the people can make submissions about what they think the rate cap can be.

I think it's an excellent document. Thank you to all the officers for all the work that's been put into this. I think there's a big emphasis on health and I'm really proud that we value the health of our community and we're working on two pools. There's our maternal child and health nurse and our early - and our family and child health programs and our early years programs as well as a real commitment to reconciliation with traditional owners, with our traditional owner engagement.

So I'm really happy with how the draft budget is looking and it really reflects our Council plan, but as Councillor Allen outlined, this is for it to go out to the community for submission, so I look forward to hearing from the community.

MAYOR LIZ PATTISON: Thank you.

CR ADRIAN SCHONFELDER: If I may speak. I support the draft budget. The only part of it I don't support is a full rate increase to 3.5% because not all Councils increase their rates to the percentage that's allowed under the rate cap. There are some councils that don't do that. Some actually get permission to increase it further.

But I'd just like to touch on a point that Councillor Allen made when he said inflation is 7% and costs are increasing, or have increased, rather. Well, the

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incomes of people and ratepayers within our Council, I would doubt that their incomes would have increased the same as the inflation rate, so I think it's important to keep that in mind.

And I think it's also important to keep in mind for people who have businesses that many of the costs they have have increased substantially as well and I feel as though we're adding to that by increasing our rates by 3.5%. It's only a half percent rate that I was advocating for us not to have and I'd like to think that we're a part of a caring community where we think of and try to help people who may be less fortunate than ourselves, so people who are pensioners and those who are unemployed. And also with the housing crisis that we talk about, well, this would make housing more expensive. The higher the rates, the more expensive housing is.

So I try not to be too cynical, but I think it's almost like lip-service we're paying to some of these goals that we'd like to achieve as far as having more affordable housing for people. And I'm interested to hear what other Councillors might like to add to this debate. Thank you, Mayor.

MAYOR LIZ PATTISON: Thank you. Councillor Wellington.

CR HEATHER WELLINGTON: Thank you very much. Look, the motion is to put this out for consultation with the community. I would just really encourage people in the community to engage with this process. We are a high-rating council, so every time we do a 3% increase, we're actually increasing more than a lower-rating Council which hasn't got such a high base and we've always been a high base, and we've generally been told that this is because we don't get the same access to grants commission support that we should and there may be some truth in that, but the grants commission would strongly disagree, obviously.

There are items in this budget that I think are completely unaffordable, including the aquatic centre in Torquay, and I'm still absolutely struggling to understand why we are not working with the City of Greater Geelong to get a shared regional facility that covers Torquay and Armstrong Creek and the developments there. The population in that - we're going to end up with a Commonwealth Games legacy pool at Armstrong Creek and with a pool at Torquay which is not meeting people's expectations and why on earth we can't work together across municipal boundaries I do not know.

We actually paid \$5,000 to get a report on that a few years ago. We contributed to a report, the City of Greater Geelong did, and when I asked for

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a copy of it, this Council didn't even have a copy of it and I went through FOI with the City of Greater Geelong to get it.

It just seems to me it's always been lip-service by this Council to that particular proposal. Why we haven't properly analysed it I don't know and I don't believe we can afford the aquatic centre in Torquay, as much as we would like it. We should be living within our means.

Obviously somebody will come back and say well, the swimming pool at Winchelsea is included in the budget, and it is and I'm really, really grateful for that because that pool has been in the community for decades. It was very much contributed to by the community when it was first built. It's an entirely different proposition from a 40 something million dollar aquatic centre, obviously, and it's critical to the health and wellbeing of an inland community and I also believe that an aquatic centre in Torquay is very important for Torquay as well. I just think it needs to be an affordable aquatic centre.

So I think you can't just take 5% off the rate rise and then say we'll just have an extra bit of debt. That debt costs money to service. You know, you leave it for another generation. We just can't do that. You know, that's just not realistic. So I don't support that proposal.

But I do want to hear from the community if you want lower rates, where would you like us to cut, and I know where I would cut. I'd cut on a lot of the discretionary things we do that we do because we like the idea and we think it's good - everything is good for the community, of course, that we do, but there's some things that we need to do and some things that we like to do and I think we could do a lot less things that we like to do. But I'm interested to hear from the community.

I'm also - just a final comment. The proposition we can't change this because we won't meet the deadline, that makes a mockery of the consultation. We have to be able to change it. If the community comes back and says, "We are not prepared", they come back strongly and say, "We are not prepared to pay an extra 5% in rates" and we say we're going to listen to them, we need to have a conversation with them about what do we cut.

MAYOR LIZ PATTISON: Thank you, Councillor Wellington. You're now over time. Would any other Councillors like to speak? Councillor Hodge?

CR ROSE HODGE: I don't agree with the 3%, not at this stage. I'd rather put it out in draft and let people come back and give submissions and then we can make decisions.

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But sometimes when you look at a budget, you look at how it affects me or what's in it for my area. Now, the appendix of the attachments of 4.1 is really constructive of what's in the Anglesea ward, what's going on, the Torquay, Winchelsea and Lorne ward. It's like a snapshot of what our money is going to. So if you do look at it and you want to make a submission, look at that because that's either the capital works that have started or the capital works that are going to be in this budget. So these snapshots in the attachments is really, really important and I really do want to hear from the community.

Look, you know, we do events well. We do things. It's not just about rates, roads and rubbish at some times. It's about arts, it's about, you know, really including the community in community events as well. It's just not - you know, people say it's feel good. Well, we do need to feel good, especially after COVID.

So I want to put it out on draft, and I can hear Councillor Schonfelder and I'm sure he will get his community to come in and all our communities, but please look at those attachments. It's what's in it for you and I think that's what you should be really looking at when you come back with submissions of what we either haven't put in or what you think we can cut. So I look forward to putting it out on draft and hearing it come back for the submissions.

CR HEATHER WELLINGTON: Mayor Pattison, can I ask a question, sorry, in relation to what - Councillor Hodge just reminded me of something, actually.

MAYOR LIZ PATTISON: Sure.

CR HEATHER WELLINGTON: Thank you. My question - so in the graphs and the tables in the report that show what goes to Winchelsea ward, what goes to Torquay ward, et cetera, is it correct that that is looking at the income and expenditure as we currently know it, but during the year there is very large additional expense items which particularly relate to developer contribution plans or to government grants that come in that, you know, fund particular projects, but Council is obliged to put often hundreds of thousands or millions of dollars in to support them? Is that a correct proposition and, if so, if it is, could we put out in our annual report a reconciliation of what we thought was going to be spent in each ward compared with what was actually spent in each ward for transparency purposes?

MAYOR LIZ PATTISON: Thank you, Councillor Wellington. Yes, that is my understanding and I'm not sure about the annual report, but I will pass that on to the CEO. It's potentially a good idea.

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MS ROBYN SEYMOUR: Councillor Wellington, we are fortunate enough to receive grants during the year that aren't reflected in our current budget and some of those we contribute to and others we don't. It depends on the grant. For example, we've got an application for a grant in for Anglesea at the moment for \$360,000 where we don't have to contribute anything towards that grant, so it's a bit variable. But the contributions Council makes tends to be relatively small amounts of money, certainly not millions of dollars because we don't have that sort of capacity within our budget to be able to do that when we've got things that are committed.

In terms of the process of looking at how we would do a reconciliation of that, we might take that on notice, if that's alright, Councillor Wellington, and think about that in terms of our process for our annual report. You'll see that in this budget, which is a new process, we've tried to include some of those current applications that we're waiting to hear outcomes on to try and ensure that there is visibility of that as part of the budget process. In terms of how we kind of reconcile those, we'll take that on notice.

CR HEATHER WELLINGTON: Thank you.

MAYOR LIZ PATTISON: Thank you. Councillor Bodsworth?

CR MIKE BODSWORTH: Thanks, Mayor. I've got a few specific comments on some budget items and then a more general comment to finish. So a couple of things that I'm happy to see in the budget. One is the shire-wide independent review of unsealed road management, which is given a \$39,000 allocation. I think that's really important for us to try and ensure that we're meeting best practice in unsealed road management and to try to identify whether there are any options open to us that will increase affordability, increase the performance that we can get out of our unsealed roads, which I think is particularly important looking at our budget constraints and also the importance of those roads to our communities, both in some towns and in the hinterland areas and rural areas.

Another item is the Anglesea and Aireys Inlet drainage investigations, which was regarded as a particularly important action after the January last year flooding, which was devastating to quite a few people, including to the residents of the Anglesea aged care, and we've realised that some of our stormwater networks aren't up to those kind of flows and particularly looking forward to climate change type rainfall intensities. We know that those aren't going to be able to cope with those kind of intensities, so there's a couple of important examples there.

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With regard to the mooted change from 3.5% to 3%, I also don't support that, partly because our municipality is particularly dependent on rates as a proportion of overall revenue compared to some other municipalities.

In regard to that issue, the general comment that I wanted to make was about the amount that's allocated to asset renewal, which is a huge part of our budget, and it's great that we have such a proactive and kind of systematic approach to allocating money to asset renewal because it helps reduce the nasty surprises that come with a less planned approach to asset renewal.

But Torquay particularly, this post code has seen a huge amount of growth in recent years and it's not just a growth, but it's the patterns of growth and low-density, car-dependent, suburban-style development has a particularly high cost per unit area compared to the revenue that that development pattern can offer. So those kinds of styles of development can actually be a loss maker.

And in terms of our financial security going forward, I think there's some work that we should do looking at the long-term cost, which is like multiple generations of asset renewal of those roads and drainage ways and other pieces of infrastructure, versus the revenue-generating capacity of those same neighbourhoods and I think if we do that kind of analysis, we'll realise that in some areas we're actually running in the red. So that's an important piece of work I hope we can get to. Otherwise I support the budget going out for public input.

MAYOR LIZ PATTISON: Thank you, Councillor Barker. Councillor Allen, did you wish to make any closing? Sorry, no-one else picked up the name was wrong. I was distracted by Councillor Barker. Apologies, Councillor Allen. I'll leave you to do your summing remarks.

CR GARY ALLEN: Look, I sympathise with the sentiments expressed by Councillor Schonfelder, but we have to remember what this motion is about. It's about displaying or sending out a draft budget for community consultation and that we support the draft and then want to take out a chunk of it. I mean, if we receive feedback that rates should be reduced, then we have to have some sort of plan as to what we're not going to spend on.

I have some sympathy for Councillor Wellington's view about the pool and I certainly have always raised my doubt about whether we can afford it if we have to borrow more and also the rent cost.

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And again, as said, it's all just a matter of going into deficit because if we went into deficit, that has long-term implications on our 10-year financial plan. So it's just not that simple. But the point of this motion is to put the budget out to the community for us to receive the community views. Thank you.

CR ADRIAN SCHONFELDER: Mayor, can I just ask a question, please, and that is it's my understanding that Councillors are entitled to make amendments on items on the agenda.

MAYOR LIZ PATTISON: Yes, you are allowed to make an amendment if there isn't a significant change to the motion through that amendment and so that's what I was clarifying earlier, Councillor Schonfelder. It would have a material significant change to the outcome and that's why it wasn't allowed and it was an alternate motion.

CR ADRIAN SCHONFELDER: Mayor, one last comment. I took exception to what Councillor Allen said about a chunk, a large chunk. 0.5 of 1%, one could debate whether that's a large chunk or not.

MAYOR LIZ PATTISON: I'll take that as a statement. We'll now move to put that to a vote. All those in favour. And the motion is carried unanimously.

We'll now move on to item 4.2 on our agenda tonight, the Aboriginal and Torres Strait Islander Voice to Parliament. This report seeks Council's support for constitutional recognition of Aboriginal and Torres Strait Islander people through a Voice to Parliament enshrined in the Australian Constitution. Do we have a mover of a motion? Councillor Gazzard. Is that as per the recommendation?

CR KATE GAZZARD: Yes.

MAYOR LIZ PATTISON: Thank you. And a seconder? Councillor Bodsworth.

CR HEATHER WELLINGTON: Can I ask a question, Mayor Pattison, before we start debate?

MAYOR LIZ PATTISON: Yes.

CR HEATHER WELLINGTON: I have two questions, actually, not in the motion, but in the discussion where we talk about the activities that Council may undertake, one of them is that we will share information from campaigns which are led by First Nations people. I'm just wondering, there's obviously a range of campaigns by First Nations people, many of which are supportive, but some

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of which are not. Are we intending to share information from all campaigns led by First Nations people or from some or who is going to make the choice?

I just wonder how that actually - you know, are we only going to share - if we have a position that says we support the Voice, are we only going to share information from First Nations people that also support the Voice, I suppose that's my question, or are we going to share balanced information from different groups?

MAYOR LIZ PATTISON: Councillor Wellington, I think that will be more clear after whatever is decided in the recommendation tonight, but I'll pass it on to our CEO.

MS ROBYN SEYMOUR: Councillor Wellington, it's really - our position is really around supporting people to make an informed decision themselves, so it would be - our intention would be to provide information from First Nations people which may be in support or may not be. It's not just to provide information from our First Nations people that support the Voice necessarily.

CR HEATHER WELLINGTON: And who would make those decisions about what we've shared? Would that come to Council, for example, or would it just be done by officers, or would it be done by the Mayor and officers or done at briefings? How would that be made?

MS ROBYN SEYMOUR: Mayor Pattison?

MAYOR LIZ PATTISON: Sure.

MS ROBYN SEYMOUR: The intention would be that it would be made by officers, Councillor Wellington.

CR HEATHER WELLINGTON: As to what was going to be shared, and presumably on some criteria.

MS ROBYN SEYMOUR: Well, based on the intention expressed in this report tonight.

MAYOR LIZ PATTISON: Thank you. We'll now move on. Councillor Gazzard, would you like to speak to the motion?

CR KATE GAZZARD: Yes, please. Thank you, Mayor. So this motion is for whether Council support an Aboriginal and Torres Strait Islander Voice to Parliament. I strongly believe that we should show public support for the Voice

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to Parliament. I will call it the Voice just to differentiate, not the TV show, but just the Voice to Parliament there.

In publicly supporting it, Council is not supporting any particular political party campaign and this is not a yes campaign. This is just our support for First Nations people and recognition of Aboriginal and Torres Strait Islander peoples as the first peoples of Australia and allowing them to have a say in what happens to them from hereon. So as a nation, we're facing a choice, a decision, with a referendum and I truly hope that like the gay marriage plebiscite, we make the right decision and are on the right side of history.

Australian Aboriginal culture is the oldest living culture in the world and yet Aboriginal people in Australia currently experience the poorest health outcomes when compared to non-Aboriginal Australians, which I believe is Australia's greatest shame and it's a national disgrace. There's an overrepresentation of Aboriginal children and young people in out of home care, in juvenile detention, and in the justice system and this is not changing with what is currently - the current programs that are available.

First Nations people have consistently called for self-determination and that they need to have a say in what happens to them. It wasn't until the 1960s that Aboriginal people and Torres Strait Islander people were even allowed to vote in Australia, and so I think we really need to have - we need to move forward and repair the struggles of the past and we need to tell the truth about Australia's history, speak the truth about the genocide of our First Nations peoples, and walk together to build a better future for all of us.

Makarrata is the Aboriginal term generally known for the restoration of peace after a dispute or the coming together after a struggle. I would urge everyone to read the Uluru Statement from the Heart. It's a really compelling and moving and very short piece, and what really spoke to me was the "Proportionally we're the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness."

I think if we wake up the morning after the referendum and we've voted yes for the Voice, it's not going to answer all of the problems, but it is a step forward and I think, as leaders in our community, we should be supporting it.

MAYOR LIZ PATTISON: Thank you. Councillor Bodsworth?

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CR MIKE BODSWORTH: Thanks, Mayor Pattison. I also strongly support the Voice personally, but I strongly support our Council taking a position on the Voice as well, as outlined in this recommendation.

In heading towards tonight's meeting, I asked if the Uluru Statement from the Heart could be included in the agenda papers in full because I believe that it's a magnificent contribution to Australia's history as a nation. I find it an extremely moving piece of work. I mean, we know how difficult it can be to bring a disparate group together and come to a coherent position particularly to make it concise like the Uluru Statement from the Heart is.

It speaks for itself. I'd like to also quote from a little part of that, which is: "We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny, our children will flourish. They will walk in two worlds and their culture will be a gift to their country." It goes on and it concludes by saying: "We invite you to walk with us in a movement of the Australian people for a better future." That's a sentiment that we heard also in the Pilk Purriyn ceremony earlier this year and I believe that it's an incredibly generous, warm-hearted gesture from Australia's First Nations people to all the rest of the Australians, whether they be of white ancestry, Anglo Saxon ancestry like me, or whatever parts of the world they've come from, whatever their personal preferences are.

It's about coming together and we do hear about this Voice to Parliament that it's inherently divisive. I believe the divisive act occurred in the colonisation period and the divisive act has been continued through not recognising the sovereignty of First Nations people and not giving them that recognition which has occurred in so many other countries around the world and it has occurred without division and in fact it has done what the Uluru Statement from the Heart says, it's made those nations better.

It's also not an issue - it's not a racially based issue, it's about indigeneity, it's about the first people, and it's about their sovereignty over the land for that period of time. Let's not forget that all of the ancient civilisations, including Egypt, ancient Greece, ancient Rome, all the ones that we think of, all occurred in the last 10% of the Aboriginal Australian timeline. 90% of Australian Aboriginal history had passed by the time those civilisations came along.

MAYOR LIZ PATTISON: Thank you, Councillor Bodsworth. Would any other Councillors wish to speak to the motion? Councillor Allen.

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CR GARY ALLEN: Thanks, Mayor. After much thought over the past two months, I have decided to support this motion. I have not come to this decision easily. Firstly, not all First Nations people agree. Several state that truth telling and treaty are far more important and within our shire, the Eastern Maar Aboriginal Corporation is yet to take a public stance.

Secondly, I have concerns that the proposal extends the reach of the Voice into the executive branch and therefore adds another bureaucratic layer to potentially delay decision making. And finally, I wrestled with the question does the Voice impact upon the notion of the equality of citizenship?

Why have I decided to support the Voice? I was reassured by the Attorney-General when in his speech in the Second Reading of the Bill he stated that the Voice would be relevant to matters that affect First Nations people differently to others in the Australian community. This limits the matters that will reach the executive and as it is contained in the Second Reading, it will have weight if the interpretation of subsequent enabling legislation is required by the High Court.

I was moved by the comments of the Prime Minister at yesterday's Anzac dawn service in Canberra when he said that First Nations people fought for our nation and now it is about time that we fought for them. I add that they fought when not recognised as Australian citizens.

It is only 31 years since the High Court Mabo judgment that the fiction of terra nullius, land belonging to no-one, was overturned. By enshrining the Voice into the Constitution, we will add to the dignity and wellbeing of First Nations people since that significant decision. Along with Councillor Gazzard, I agree it is disturbing to continue to learn of the poor or declining health and educational outcomes of First Nations people, particularly when we consider the many billions of dollars spent and the often heard rhetoric are having little or no effect. This, in my view, is partly because we remove decision making from those who understand the problem, and in the realm of Indigenous affairs, we have far too long taken a maternalistic approach.

I disagree with those in the community who believe that the Council does not have a role in advocating a position on the Voice. Airing our views will help generate debate and discussion and surely these are essential ingredients in a healthy democracy. Thank you.

MAYOR LIZ PATTISON: Thank you, Councillor Allen. Councillor Wellington.

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CR HEATHER WELLINGTON: Yes, I just have just another couple of questions. One is that in the report it says that the Wadawurrung Traditional Owners Aboriginal Corporation has been publicly supporting of the Voice, but the Eastern Maar Aboriginal Corporation hasn't taken a public stance, and we say neither of them has expressed any concerns regarding our support for the Voice.

I just wonder - it's like saying people in Winchelsea didn't express concerns about Mud Hut until, you know, the eleventh hour and 59th minute when they realised what was going to be done. I just wonder what - a lack of expression of concern doesn't mean there is no concern. It might just mean that we haven't engaged. Have we engaged with the Eastern Maar and have they expressed any view to us at all or do we have any clue as to what their view might be?

MAYOR LIZ PATTISON: Thank you, Councillor Wellington. It's my understanding that there has been engagement with them, but I will pass that on to our CEO to respond.

MS ROBYN SEYMOUR: Councillor Wellington, we have engaged with Eastern Maar and they expressed no objection with us putting this position forward and I guess from our perspective, the decision to put this recommendation forward to take this stance is really around supporting both reconciliation and self-determination. And your question earlier around will we provide information from First Nations people who support or don't support this, that's part of that self-determination and part of that process, so Eastern Maar have said to us that they do not object to us taking a position to support the Voice.

CR HEATHER WELLINGTON: They have said that they don't object to us. They haven't just not expressed a concern, they've said positively they don't object to us doing this, is that right?

MAYOR LIZ PATTISON: That's right.

MS ROBYN SEYMOUR: Yes, that's correct.

CR HEATHER WELLINGTON: Thank you. That's not what the report says, but that's fine. Thank you for clarifying.

MAYOR LIZ PATTISON: Did you wish to speak to the motion, Councillor Wellington?

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CR HEATHER WELLINGTON: I do, yes. Look, to me, I mean, a lot of the things that have been said I absolutely agree with. There is no question that the way Aboriginal Australians have been treated is just appalling and the consequences have just been hugely impactful on their health, their wellbeing, their children, their families, it's just unbelievable, and nobody could not want to address that. The fact that it took so long for Australia to even recognise them in the Constitution, it's just appalling all of that, and I absolutely agree with all that.

My issue, and no doubt some people will not understand the separation between what we want to do from a genuine reconciliation perspective and what this Council can or should do in relation to interfering in federal or constitutional matters is a really different thing. I mean, I think Councillor Gazzard is right to encourage people to read the Uluru Statement from the Heart, but I think also people should read the Constitution and it's a very important document as well.

In order to make an informed decision about whether to support this or not, one needs to kind of spend a lot of time, as Councillor Allen obviously has and perhaps some others have as well, sort of going through and understanding all the elements that contribute to this. Some people I think would be strongly supportive of inclusion of a Voice to Parliament, but may not like the proposal. It's there, I think there will be a bit of that.

The yes and the no case are being funded by the Federal Government and every Australian who can vote will have access and there's, you know, a budgetary process to do that. We'll have access to those yes and no cases and we'll have a good base on which to make a decision.

I look at this and I think honestly, this is a federal Constitution matter. Are we serious? We don't even have a vote as a Council. There is no vote. But we as individuals all have views about this and we're using our position on Council, in my view, to promote personal views which obviously have strong validity, but so do other views have strong validity.

I know there will be a lot of people in my ward, but potentially across the shire, who will come to me and say, "What on earth is Council doing?" I know that later in this meeting we're going to be debating advocacy priorities and making a plea to federal and state governments as part of our advocacy program to not impose additional work on us for which we are not funded, but we pick and choose the issues that we want to be part of and that we want to put resources into and this is one of them.

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I'm concerned about who will make a decision about what can be circulated and what shouldn't. Warren Mundine is an Aboriginal Australian leading an active campaign against the Voice. I presume that somebody will decide that that shouldn't be circulated. I don't imagine we're going to get information like that from Indigenous people who don't agree. They have a right to be heard as well, obviously, everyone does.

Now, I don't support this. It's not our role. It is our business certainly at a societal level, but it is not our business in terms of the business of Council that we have to do for our community. I think people in our community will be quite capable, they will have (inaudible) --

MAYOR LIZ PATTISON: Thank you, Councillor Wellington, you have now gone over time. Thanks, Councillor Wellington. I ask you to finish up now, thank you. Would any other Councillors like to speak? Councillor Barker?

CR PAUL BARKER: Thanks, Mayor. I don't disagree that Indigenous Australians have been treated poorly in the past, I've seen firsthand some of the issues in remote Northern Territory, and I'm not opposed to constitutional recognition of Indigenous Australians, but this is a federal issue. Why we are even contemplating it here is absurd.

As mentioned by Councillor Wellington, we've got different levels of government to look after different things and when you have duplication of responsibility, you just create an extra cost to the whole of community that is unnecessary.

It just seems that the Surf Coast is a branch of the federal Labor Party, so best follow blindly like good surfs. To quote, "It is wrong and unfair, dangerous and divisive, useless and costly" - these are words from Indigenous Australian Jacinta Price. Now, I know there's Indigenous Australians that support it, but there's many that are opposed to it and I know one guy who's actually politically progressive, but opposes the Voice because he doesn't think it will do any meaningful assistance.

Now, I know there's division on the Voice within the Indigenous community, but much like our own community here, there's also division. In my engagement with our community, there is not only strong opposition to the Voice, but there are some in the community who support the Voice but are opposed to Council getting involved in the matter.

Now, let's travel back in time. From the 70s to the 90s there was the NACC, the NAC, the ADC and then ATSIC - all disbanded. It seems to me that history

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tells us that these bodies are unsustainable. Now we have the NIAA. I'm not satisfied that the Voice will achieve anything that NIAA can't do other than negatively impacting the wider community. Now, you might say we need to do something, something is better than nothing, but be careful what you wish for.

Now, my concerns are quite simple. If the Voice to Parliament is enshrined in the Constitution and it is effective, then it will distort representative democracy. The powerful vote of citizens will have less value. If it is ineffective, then it will just be a waste of time and money.

At the heart of the matter, it is racist. Section 51(xxvi) of the Australian Constitution is already racist. Why would we support making it more racist? If this motion is passed, I can guarantee you that it will invoke serious and widespread opposition from our community that will only further divide us at a time when we should be uniting more against the real enemy of the people, government.

Now, to quote a ratepayer, "YTF is Council supporting it? They are there to represent ratepayers, not determine what ratepayers represent."

MAYOR LIZ PATTISON: Thank you, Councillor Barker. Any other Councillors? Councillor Hodge.

CR ROSE HODGE: Just very quickly. I will be supporting the Council going forward with the recommendation as is. When it gets up, one of the Voices we will be working alongside existing organisations and traditional structures and we are one of those. We have a great relationship with Corrina Eccles, the Wadawurrung elder of this area. There's a big meeting on tomorrow night that she will be leading and it's for information and it's to get people to really be aware of what is happening. I disagree with some of the things said around the table, but that's democracy, and I think we've got to make a stand and really show people where we are in our beliefs of - you know, our Council plan. We want to work with the Indigenous and we want to help them in reconciliation.

This is a perfect way of carrying on our Council plan to incorporate this motion and I think it's really important to a culture that's over 10,000 years old. We know of their history and I don't want to look at past agencies that have failed. You don't want to keep looking back. Go forward. Go forward for a better history. Be on the right side of what is right for our Indigenous people, and I think that's really, really important.

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So I will be voting for the recommendation and really trying to get - all the people that have contacted me, one has which an email came today and I know there will be others. But for the people that I deal with, and going to see Pilk Purriyn, where 2,000 people turned up, the booking out tomorrow of the Voice, and everywhere I go we see the respect that's given at the football. Everything we do, we do a respect of the Indigenous.

Why don't we respect it at the highest level we can? To hear their voices in Canberra, that's what we need to hear and that will filter down to us, and we're one of those existing organisations of a traditional structure that will work with these people and do the best we can not only for them but for the community that they are in, and that includes us. Thank you.

MAYOR LIZ PATTISON: Thank you. Councillor Schonfelder.

CR ADRIAN SCHONFELDER: Yes, I'd like to speak with great care and respect about this matter. This year it will be 175 years since my family's lived continuously on the Surf Coast Shire and I have met traditional Elders and owners and I've said to them that they've lived for thousands of years, which is really incredible, and I know that my late grandfather used to tell me stories about Aboriginal people who told him about certain birds that meant that it was going to rain and other certain birds that it's going to be dry and the knowledge that the First Nations people have is incredible and I have a great respect for them.

I know that as someone who is a white Anglo Saxon Protestant who visited New York recently and went to the museum of the city of New York and learnt that the local First Nations people there in Manhattan, most of them were wiped out like here and sadly, during the colonial conquest that took place, many of the European powers were fighting over new lands that they wanted to conquer.

But I should also note that other empires also colonised as well, such as the Chinese and Mongols and many others, it's not just the European powers, but I think it's very important also to hope that we can have coexistence in the future with First Nations people. I've had the honour of meeting Corrina and a number of the Elders and I've really enjoyed getting to know them and to learn about the local history and I've actually also said that with the Aboriginal trackers who they can track someone who's walked a week ago somewhere, who's walked through water. I find it just miraculous and I find the history astonishing.

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I am a religious person, I am a Christian, but I also believe in the Dreamtime as well. I believe that predates Christianity. And in relation to Easter that has happened and the teachings of Jesus, I find a lot of the traditional owners, First Nations people, Aboriginals, Torres Strait Islanders and Pacific Islanders, to me they seem more Christian than anyone else when it comes to practising egalitarianism and loving and being kind to other people. So I will be supporting the Voice and I believe it is incumbent on every organisation, every tier of government, to further advance reconciliation.

MAYOR LIZ PATTISON: Thank you. We'll now - actually, Councillor Gazzard, have you got any closing remarks?

CR KATE GAZZARD: Yes, just quickly. Thank you to all the Councillors for speaking on the issue and the different views that we have. I think one of the important points is that racism is the process by which systems and policies and actions and attitudes create inequality, inequitable opportunities and outcomes for people based on race and I don't think - the Voice to Parliament will not impinge on any non-Aboriginal Australians' rights. So I think that's a really important point. Nonetheless, race and racism have been central to the organisation of our society since colonisation in 1788 and the 250 years of colonised Australia is but a blink of an eye compared to the 60,000 years that Aboriginal people and Torres Strait Islander people have cared for this land.

So it's obviously - there's no simple answer and there will be people against it. I think truth and treaty are very important, but this is also a first step towards reconciliation and we will try to support our community to vote in a democratic manner.

MAYOR LIZ PATTISON: Thank you. We'll now put the motion to a vote. All those in favour. All those opposed. And the motion is carried 6-2.

We now move on to our advocacy priorities, 4.3. The purpose of this report is to seek Council's endorsement of an updated set of advocacy priorities. Do we have a mover of a motion? Councillor Bodsworth, thank you. Is that as per the recommendation?

CR MIKE BODSWORTH: Yes, thanks, Mayor.

MAYOR LIZ PATTISON: And do we have a seconder? Councillor Hodge, thank you. Councillor Bodsworth, do you wish to speak?

CR MIKE BODSWORTH: I'll be brief, thanks, Mayor. I'm really supportive of the advocacy priorities. I mean, we've seen a few iterations of this in our time

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on the Council and that's because our circumstances change. We've had recent elections that sort of provided a certain context for advocacy which is passed. Other contexts come along, so the advocacy priorities is a fluid kind of a thing.

One thing that I'm really pleased to see is the inclusion of local knowledge and perspectives and state government strategic framework policy and plans. One example is the Great Ocean Road Strategic Framework Plan that the State Government is beginning to work on and which input from local community groups and people who hold local community issues close to their hearts and have history in those communities - to ensure that those are included is something that we really need to advocate for and I'm pleased to see that there.

Community advocacy is incredibly important as well. So this is not one of our own advocacy priorities per se, but it's something that we try and encourage and we put a lot of effort into community empowerment and in trying to encourage our communities to advocate on behalf of their neighbours and communities to get the things that they want and need.

With regards to the Surf Coast Cultural Centre, its position in the advocacy - it's an example of something where its advocacy priority slightly shifted given the context around election and electoral opportunities, but also with that one I want to see us explore options for the scope of that that include potential for public-private partnerships. I know we've spoken about that in previous meetings and I think that's something that's important for us to keep in mind in the future.

Another one just with regard to greenhouse gas emissions and sustainability and our advocacy around that. A few days ago I spent some time on the Pulse FM sustainability hour podcast, which I was really pleased to do, and the host of that noted the Surf Coast Shire Council's really good reputation in the sustainability space.

So I think advocacy is important at a whole lot of different levels, but it's not the least important in helping communities understand where our priorities are and like the item that we've just discussed, these are opportunities for us to stand up as elected representatives and make our perspectives clear and to invite our communities to engage in the democratic process. So I strongly support the priorities as they're set out. Thanks.

MAYOR LIZ PATTISON: Thank you. Councillor Hodge?

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CR ROSE HODGE: Yes, look, just very quickly. It's set out really well and it's under headings of a healthy community, environmental, sustainable growth, robust economy, and a creative and cultural and arts, but what it does, it actually lists why it's important and what support we seek because it mightn't just be monitoring, it might be actually an amendment to a state power or something.

So I think it's great that our leadership group have regular meetings with all representatives of the State Government, and in the audience tonight we've got Andy Meddick, who was the upper house member in the last Parliament, and of course we met with him regularly as well.

So it's really good to have a list because it can go into the politicians earlier so they know what we're doing, what we want, what we're seeking, we're making it so clear, that they in their offices can go through it and have the answers so it's not a waste of time and has worked well in the future.

We do see when we're in a swinging electorate sometimes politicians come in with their own advocacy moments that we haven't got, as in the pool in Torquay, but now that's on the agenda and we've been advocating for more money for that for a long time. And of course the big one coming up now is the 2026 Commonwealth Games. So that will be really interesting to see what we might be able to gather for this area for the infrastructure to be paid for, rather than us paying for it. So this is a great opportunity to get something like that done.

But I really do think the work that the CEO, the Mayor and the officers have put this work together really make it crystal clear of what we want and how we want it and hopefully that works with our local politicians. Thank you.

MAYOR LIZ PATTISON: Thank you. Any other Councillors wish to speak to this? Councillor Allen.

CR GARY ALLEN: Thanks, Mayor. In advocacy progress is dynamic. Several projects have received funding and have therefore been removed - for example, the funding of the loop walk in Winchelsea - and within some of the advocacy priorities there are synergies, and picking up what Councillor Hodge just said, affordable housing and accommodation for essential and seasonal workers continues to be a national and shire-wide focus and advocacy priority.

Now, with the Commonwealth Games coming in 2026, there may well be an opportunity to redirect housing infrastructure into key worker accommodation, so I see that there's a real possibility there for us to advocate for this outcome.

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And in my view, these two matters should be our top advocacy priority. Thank you.

MAYOR LIZ PATTISON: Thank you. Councillor Gazzard?

CR KATE GAZZARD: Thank you. Yes, I support this motion. I really highlight our dedication to the Torquay stormwater and Karaaf Wetland rehabilitation. Thank you to Darren and Andy McCauley for your questions and advocacy on these issues. We're also advocating for addressing the health of the Anglesea River, improving local climate resilience, advocating for urgent reduction in greenhouse gas emissions and moving to a circular economy, as well as all of the work done on healthy outdoor activities, the pools, the trails, networks and the revitalisation of Torquay centre as well.

MAYOR LIZ PATTISON: Thank you. Councillor Wellington.

CR HEATHER WELLINGTON: Thanks very much, Mayor Pattison. There's a lot of priorities in this that I very much support. Obviously in relation to the hinterland, Winchelsea is growing very rapidly and it certainly is going to need some substantial infrastructure developed over the next several years, so issues around that I very much support.

I guess the problem with this is that it will be quoted back to us saying well, this was passed by Council as an advocacy priority, so high-risk offshore resource exploration, well who decides, you know - that submissions to other levels of government that aim to bring about benefits for the Surf Coast Shire community or Council. Well, that basically means we can intervene in any decision made by State Government, Federal Government, whatever, because pretty much everything they do will bring benefits or risks to the Surf Coast Shire community or to Council.

So there's very some broad statements in here which I just cannot support.

Stormwater and Karaaf rehabilitation - yes of course, but the sad fact is the Karaaf has been under our watch for quite a long time and the reason it needs rehabilitation is because we have accepted the design and accepted the construction of stormwater systems that aren't adequate to deal with the stormwater, that's the bottom line, and now we're going to advocate for taxpayers' funds to fix the problem that shouldn't have occurred and should have been addressed at its source, which was around planning and around accountability of developers to build systems that would manage to cope with the stormwater generated by those developers. We as Council have accountability around that as well.

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And we also have - one of our advocacy priorities is to advocate to government to stop it putting requirements on us for which we're not funded and yet at the same time, as I said earlier, we're actually launching ourselves into advocacy where there's no requirement for us to advocate and in fact I would say we're going to be extremely well informed about the Voice, both the positive and negative and why we're delving into that or similar views about marriage equality, similar views about all the things that this Council has supported as advocacy priorities and spend ratepayers' money on - not to say they're not good things, but they're not our business.

So I'm not going to support it. I like some of the things in it, but I think it just creates the platform for it to be waived back, as does the Council plan, we've got a priority for this and therefore everything we do is consistent with that, you know? And it's almost used as a justification for future action. I don't support it, I'm afraid, this sort of process. So I regretfully will vote against it.

MAYOR LIZ PATTISON: Thank you. Councillor Barker.

CR PAUL BARKER: Thanks, Mayor. I echo much of Councillor Wellington's comments. Three and three quarter million dollars for a pool, \$4.5 million for a walkway over a pavilion, infrastructure upgrades to leave a positive legacy, urging other levels of government to make electricity more expensive, and other market intervention measures.

Now, you might think these are great ideas, but what it really is is taking money from taxpayers around the rest of the state and the country to pay for what is largely our responsibility. How would you like paying for upgrades to my car or making more rules to make it more expensive for me to run my business, which means I need to charge my customers more? It wouldn't be very fair, would it?

Now, that's exactly the same way I view these advocacy priorities. I won't be supporting it. And I've talked to you more than enough times about the economic choices that we make. Continuing down this path of raping other levels of government for funding just comes at a broader cost to the community that it's not sustainable. I've said it before, we are heading into a recession. If we are not tightening our belts, we are going to create mountains and mountains - well, we've already created mountains of debt for our future generations, but they're just going to keep getting more and more and if you don't care about future generations, sure, keep doing all this stuff raising the levels of debt, increasing the borrowings. That is your prerogative. But I will not support anything that financially contributes to the already massive levels

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of debt that children who are unborn are now expected to pay off for the rest of their life. I will not be supporting the motion.

MAYOR LIZ PATTISON: Thank you. Councillor Bodsworth, did you have any closing remarks?

CR MIKE BODSWORTH: No, thanks, Mayor.

MAYOR LIZ PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. All those opposed? And the motion is carried 6-2.

We now move on to the Mud Hut Project update. This report seeks Council's endorsement of a preferred option for the Winchelsea Mud Hut shelter renewal alterations and additions project. Do we have a mover of a motion?

CR HEATHER WELLINGTON: I would like to move a slightly amended motion, Mayor Pattison.

MAYOR LIZ PATTISON: Sure. Have you provided that to Governance?

CR HEATHER WELLINGTON: I have.

MAYOR LIZ PATTISON: Thanks. We'll just pop that on the screen so that everybody is aware of the motion being put forward. And so just to clarify, Councillor Wellington, point 3, the word "informs" has been crossed out and instead it's "consults with the community on the revised design option". Sorry, it's difficult to read from over here. Do we have a seconder for this motion? Councillor Schonfelder. Councillor Wellington, would you like to speak to the motion?

CR HEATHER WELLINGTON: Thanks very much, Mayor Pattison. So the Mud Hut is a really treasured public structure in Winchelsea. It was developed, built with community labour I think about 50 years ago. It's right on the banks of the Barwon River in an absolutely magnificent, really precious location next to some other public facilities including the playground and then a little bit further down the swimming pool and closer to it the main public toilets in the Winchelsea township.

The Mud Hut had reached the end of its life, actually, so it was found - it's got significant timber in it and the timber was found to be unstable and it was decided that it needed to be replaced and a fence was put around it. That's quite a difficult thing in Winchelsea. There's a lot of things that had fences put around them in the last 10 years and they tend to take a long time to resolve.

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So there was money allocated to design (inaudible) the Mud Hut. It acts effectively as a community gathering place and a meeting place and it shelters a barbecue and it provides great views of the playground so parents can watch while their children are playing and it's in a very important location.

Something happened over COVID with the process of letting the community know that the mud hut needed to be replaced and then designing the replacement and then regrettably we ended up with a problem early this year where the community was informed eventually of what had been designed and what was proposed to be put there to replace the mud hut and there was a very negative reaction from right across the community about what was called by many people the car port, and it's a prefabricated design, a fairly modern structure, very basic in its design, and there was a really negative reaction.

We had a petition to Council early this year. It was organised by Alison Dean and I wanted to thank Alison for the work she did and her efforts in raising this issue and getting us to listen to it, which was really important.

So it was agreed when we responded to that petition that we would put together a project control group with four community members. Michael Tucker, Alison Dean, Richard Butcher, and Jackie from (inaudible) were put together to advise Council on what could be done to try to address this problem. At that point, the structure had been prefabricated, so quite a lot of money had been spent, and the reality was - a lot of people probably wanted to start again, but the reality was that a lot of money had been expended and I personally supported the option of looking at what had been done and seeing if we could do something to make it more reflective of what the community values in the - has valued.

So that group has worked incredibly hard and with Council officers, who have done a really good job of taking on board the ideas that have been put forward, we had the benefit in the group of people with design experience and people with both landscape and industrial design experience and what they've come up with is in the Council papers. Personally, I think it's really good. I love it. But I've always said it doesn't matter what I love or what any individual loves, it's actually about community.

I think an amazing job has been done to actually bring forward the elements of the mud hut and create this into something that's going to be both reflective of the past, but also, you know, useful and practical and sound and stable for the future and hopefully loved and valued by the community.

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Some people put forward a lot of ideas about what else can be done around that precinct to pull the whole precinct together and to really celebrate its position along the river and its role in making Winchelsea the beautiful country town that it is. So I think it's been a fantastic process.

There is money involved, obviously, but what's proposed I think, given the circumstances of what has happened and the really deep community to what was developed and the unfortunate insufficiency of the engagement process and there's probably lots of reasons that occurred and it's probably - we do need to learn from it - not just fix it, but learn from it so it doesn't happen again, and I'll be continuing to sort of make sure that that happens.

But for the moment I think for this particular project we've got a beautiful compromise, which I hope the community will like. The reason I've suggested or proposed the slightly amended motion is I don't think it's reasonable, particularly in the context of what happened, to just say we're just going to tell the community what we've agreed in a small group of four community representatives. Apart from anything else, that puts way too much responsibility on the shoulders of four people.

So the proposal is we go back to the community with a short period to test community sentiment. It is going to be slightly limited in what we can do. We've got budget limitations, we've got design limitations. If the community comes back and says, "We hate it", we have to be prepared to listen to it and perhaps stop the project, but it may be that we still can do some things and I think we have to do some community consultation.

MAYOR LIZ PATTISON: Thank you, Councillor Wellington. You're now past your speaking time. Thank you. And Councillor Schonfelder, would you like to speak to the motion?

CR ADRIAN SCHONFELDER: Thank you, Mayor. When this matter was last brought to the chamber in the February meeting, I was at a place which had a very - has a very beautiful bridge, I might add, because in Winchelsea we have a beautiful sandstone bridge, but I was not far from the Golden Gate Bridge and I watched the meeting closely and I thank Councillor Wellington for moving the agenda item there and Councillor Bodsworth, who has a keen interest in Winchelsea, for seconding the motion, and also Councillor Hodge, who spoke briefly on my behalf to express my interest in the subject.

Winchelsea is a very historic area and has the third oldest hotel in Victoria, which is the Barwon Hotel. We have the beautiful shire hall and the location of the mud hut is so important as a vista and I'm so pleased there is a second

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stage to this item so we can possibly have an awning and an arbour. And I was interested in having that and I was possibly going to move an amendment for that, but given the tight budgetary constraints we have at the moment, I'm happy to be patient and wait for the second stage to eventuate.

The people who I've spoken to in Winchelsea have asked me to thank the Council for the revised design. The design is certainly an improvement of the former iteration. So I commend those involved in the working party - Alison Dean, Richard Butcher, Jackie Doyle, and also Michael Tucker, who did bring up a very pertinent point and that was about disabled access to the site and I believe that will be investigated and I really hope that from the roadway the access for disabled people is better.

I wonder whether, just a point to bring up, the treated pine posts can possibly be recycled and any of the items at the mud hut can be recycled. I know that we have Stewart Mathison present here tonight and in my understanding, I think it was the early 1980s the mud hut was built and I think I was eight years old at the time. I've experienced birthdays there and barbecues there, I'm very fond of the hut, but I do recall what Dame Elizabeth Murdoch said when Federation Square was being built, and don't worry, I'm not advocating for Federation Square at Winchelsea, but she said we have to look forward, and I know Councillor Wellington mentioned this as well, looking forward and having a place that can capitalise on the vista. I find the design work really inspiring, so I'm really excited. Thank you, Mayor.

MAYOR LIZ PATTISON: Thank you. Would any other Councillors wish to speak. Councillor Bodsworth?

CR MIKE BODSWORTH: Mayor, I totally agree with what Councillor Wellington has said and thanks, Councillor Schonfelder, as well. I'd like to foreshadow an alternate motion should this one be voted down, which is as per the recommendation, and the difference being the difference between consulting, further consultation and informing the community of a design that's set or noting that in the report there's still a proposal for further engagement with the community, but it doesn't go on to say what the outcomes of that might be, and Councillor Wellington touched on that as well.

As far as my own intention in voting on this, I'm not clear on that yet and I'm going to wait until the end of the debate to make my mind up because, as I said, I do agree with what Councillor Wellington has said and I agree with the importance of checking back in with the wider community on the design. I also really - I think a great job has been done in revising the design. I think

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it's not only - that it not only looks good and references the existing structure, but I think it will perform really well as a piece of community infrastructure.

And Councillor Wellington, I'm not sure if you're aware, but there's quite a good group from Winchelsea in the chamber tonight, so it's great to see them in here and thanks so much for your support and interest and for the hard work of the PCG because it is difficult sort of sticking your head up or putting your hand up and volunteering to take on a job like that within your community. It's kind of a vulnerable feeling and I think it's a courageous thing to do and a good contribution to your community.

So, as I said, I'm not sure which way I'm going to vote yet, but I'm just foreshadowing that as a possibility if the motion put by Councillor Wellington doesn't get up. But yes, thanks so much, you guys.

MAYOR LIZ PATTISON: Councillor Gazzard?

CR KATE GAZZARD: Can I ask a question first?

MAYOR LIZ PATTISON: Yes.

CR KATE GAZZARD: If we were to change to consult, what would the financial implication of consulting the community be in addition to the budget allocation?

MAYOR LIZ PATTISON: Thank you. As that's operational, I'll pass it on to the CEO.

MS ROBYN SEYMOUR: Councillor Gazzard, it's a bit hard to tell. We've had a contractor who has held his price through this process and I think has worked really well with the PCG and been willing to do that, and so at the moment the additional cost is just for the additional elements. The risk is that the contractor won't hold their price depending on how long the consultation took and if there was further revisions, their willingness to then hold their current price, we don't know the answer to that question.

CR KATE GAZZARD: Thank you.

MAYOR LIZ PATTISON: Thank you. Did you wish to speak to the motion?

CR KATE GAZZARD: I will speak, if that's okay. I think the design is beautiful. I thank all the community members involved in the PCG and the Winchelsea Councillors for their advocacy on this.

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I won't support this alternate motion. I will support the - I won't vote for this one and then if it doesn't pass, I will vote for this whole design based on I don't want there to be any delays or any additional cost of consultation rather than informing the community.

MAYOR LIZ PATTISON: Councillor Allen, sorry, did I miss your hand going up? Did you want to speak to the --

CR GARY ALLEN: Thanks, Mayor. It was a very brave person who would go against the combined wishes of the two Winchelsea board Councillors. Look, I have similar concerns to what Councillor Gazzard expressed in her question. I'm just worried that if we do delay and have further consultation that the cost will go up and delay and may get lengthy and won't be affordable. There seems to be a fair amount of consensus with everyone how they really like the design, so I'm sort of - I'm torn, like Councillor Bodsworth. I don't know whether we can delay the vote until after our break. I'm also torn. I understand what's been said, though I am really concerned that the cost escalation might be a problem for the project. Thank you.

CR HEATHER WELLINGTON: Can I ask a question, Mayor Pattison, please?

MAYOR LIZ PATTISON: Yes.

CR HEATHER WELLINGTON: Consultation in my mind in amending this motion was to go to the community and to find the scope of what's been done and within the next month, because this is coming back to Council next month, within that period of a month test the community response to it. I'm pretty confident it's going to be really good. I think the community will love it.

The notion that we mightn't like what we hear, I think we will like what we hear, but I still want to hear it and it may be that people can come up - may come up with tiny little improvements that are easy to do without cost, or it may be that people say "we hate it" and therefore we'd have to really stop at that point and say do we proceed with the project at all? I don't believe that will happen.

I think we have a process, a consultation and engagement policy which really doesn't include just tell people what they're getting and we've had four people who've done an amazing job, but it's very unfair to put on their shoulders the entire outcome.

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My question is, is it not possible to actually put this out to the community tomorrow, put pictures in the Winchelsea butcher shop window or the IGA and say to people, "Here's what's being done, there's very little scope to do more, but we actually want to know whether you're satisfied to move forward with that" and give them a week to respond, how much would that actually cost? I'm happy to go and sit outside the IGA and listen to people and see what they say, honestly. I just can't --

MAYOR LIZ PATTISON: Sorry, Councillor Wellington, is this a question or is this your closing remarks?

CR HEATHER WELLINGTON: The question is why would that process cost a lot of money, or any money?

MAYOR LIZ PATTISON: Thank you. We'll take that question, I'll pass it on to our CEO.

MS ROBYN SEYMOUR: Councillor Wellington, the process of consultation wouldn't cost money, you're quite right. The point that I was making was that we are looking to see if we can identify the \$80,000 to be able to proceed with the project at the May Council meeting. If we can find that \$80,000, and I hope that we can, then we would be wanting to start the delivery of the project as soon as possible.

Depending on what the consultation - Council reports for the May meeting need to be done within the next fortnight and so in terms of genuine consultation and looking to potentially further change the design, it doesn't actually give us a lot of time to do proper consultation to understand the community view. If there was going to be further changes to the design, then we need to cost those.

So realistically our view would be that we wouldn't be able to bring something to Council probably until the June meeting and whether our consultant would be - our contractor would be willing to hold their existing price for another two months, that is really the question that we don't know the answer to and whether it would be a further \$80,000 or more than that if they had to hold their price for two more months, that is the question that I can't answer.

CR HEATHER WELLINGTON: So just a further question. Why can't we have a brief but meaningful consultation process subject to there being no ability to accept anything which is going to create additional delays? I mean, I'm happy - I can go and talk to the community. I know actually --

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MAYOR LIZ PATTISON: Councillor Wellington, would you like to do your summing now because I'm just unclear as to what the question is?

CR ADRIAN SCHONFELDER: Do you mind, Mayor - pardon me interrupting, but I just wanted to ask a very quick question and that was --

MAYOR LIZ PATTISON: Sorry, just hold on a second. Councillor Wellington, you're happy to go with your summing, because I think actually Councillor Hodge wanted to speak and Councillor Schonfelder had a question. So we'll hold off on that one. Sorry, apologies, that was my mistake. Councillor Schonfelder, your question?

CR ADRIAN SCHONFELDER: I did put photos of the design on Facebook recently, the last few days, and there was a very positive response to it, which is great, but I did have a question asked of me online and that was if it's built and it's very windy, there is a contingency plan that Council has to counteract any wind coming from the south-west.

MAYOR LIZ PATTISON: It's is there a contingency plan?

CR ADRIAN SCHONFELDER: I imagine there would be.

MAYOR LIZ PATTISON: I'll pass it on to our CEO.

MS ROBYN SEYMOUR: I'm not sure that there is, Councillor Schonfelder.

CR ADRIAN SCHONFELDER: I'm just wondering some Perspex or something.

MS ROBYN SEYMOUR: That isn't part of the design. We'd have to see actually how the structure performs and look at if there's any changes that would need to be made once it's in place, as opposed to what might be.

MAYOR LIZ PATTISON: It's my understanding the orientation has been changed in the context of those sorts of things, so I think it's been sorted about and we'll just have to see what happens once it's in place.

CR ADRIAN SCHONFELDER: Thank you.

MAYOR LIZ PATTISON: Councillor Hodge?

CR ROSE HODGE: Can I just ask a question? Just on what you were talking about, CEO, when the report needs to be completed, what have they got, two weeks?

MS ROBYN SEYMOUR: Yes.

CR ROSE HODGE: So I think, looking at that, I'm in two minds too. I think the community, we've got representatives here that have got tentacles right across. You could whack it in the Winch Star with a note "you've got a week" and then get that information, bring it back and work on it and I think it would go down a lot better in the community, but it's got to be done in that short time. It's coming in to May anyway, so let's - to me it can go out very, very quickly and that's the deadline, that's it, and hopefully we can get some comments on it.

I love the design. I think it's such an improvement of what it was, and there's people here that have been part of it, which has been great too. But as long as it can go out in a very strict deadline and realise that they can't redo a wall or an orientation, I think people would appreciate that they've got - you know, they can communicate their feelings back.

MAYOR LIZ PATTISON: I think before - it's probably worth just seeking clarification because currently the motion as it stands doesn't stipulate a one-week consultation phase. I don't know that that's reasonable and perhaps it more aligns with informing if you only give people a week to respond. Do we - not you, Adrian, I'm looking at Gail, did you want to clarify anything in the context of whether that's reasonable?

OFFICER: Thanks, Mayor Pattison. As our CEO has said, yeah, we are pretty time constrained, I suppose, in terms of getting any - if there was feedback that came in, we would have to work through that, make some decisions about whether it was minor tweaks or not. It would be a very tight timeframe to be able to get that turned around in less than two weeks, but you know, if Council want us to do that, we'll do our best to try to do that, but yes - and I guess in terms of our thinking whether that fits in with inform or consult, you know, it is a very tight timeframe to think that that's consultation, which is why officers went with the inform recommendation in the first place.

MAYOR LIZ PATTISON: Thank you for clarifying, Gail.

CR ADRIAN SCHONFELDER: I just wanted to ask whether 10 days would be a compromise.

MAYOR LIZ PATTISON: There's two-week timeframe for reports to be finished, so I think it is as it is, so it could only be a week, which to me is more of an inform and of course people can provide feedback, but that's not for me to say.

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Rose, if you do want that change, you'll need to move an amendment because we can't just assume the consultation phase of one week. Do you want to move an amendment?

CR ROSE HODGE: Community can feed us back. I think seven days is seven days. So I'm happy to put - are we looking at Councillor Wellington's one with, what was it, not informs, it was to consult and to have all the consultation back by --

MAYOR LIZ PATTISON: For a period of seven days.

CR ROSE HODGE: Seven days.

MAYOR LIZ PATTISON: Governance, can you please have that on the screen and can we all sit and wait for Governance to please get that up? We'll just wait for Governance to pop it on the screen. Please don't talk to the amendment until it's all up. Thanks, Rose.

CR ADRIAN SCHONFELDER: Mayor, I was going to second that motion.

MAYOR LIZ PATTISON: We're just waiting for the amendment to be on the screen and then we all know what we're talking about and we'll go from there.

CR HEATHER WELLINGTON: I'm happy to adopt that into the motion. I'm happy to accept that without an amendment.

MAYOR LIZ PATTISON: Well, we still need the amendment, so we'll just wait for that to be on the screen. It's up there now. So we're talking about "consult with the community on the revised design option for a period of seven days". That's as per your amendment, Councillor Hodge, and Councillor Wellington has accepted that. So because the debate has already started on that amendment, we still need a seconder, Councillor Schonfelder, and we now still need to vote on that amendment as per our Governance Rules. So Councillor Hodge, would you like to speak to your amendment? Yes, sorry, Councillor Wellington, I've revised thoroughly the Governance Rules and we need to vote on whether we accept this given the debate has already commenced.

CR HEATHER WELLINGTON: Normally we have a process where it can be accepted by the mover and seconder. That's in the Governance Rules.

MAYOR LIZ PATTISON: Once it's been debated on - excuse me, Councillor Wellington, once it's been debated on, it still needs to be voted. If the

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amendment is moved prior to the debate commencing, then we don't need to vote, but it has been debated on, so we now need the vote on it. Councillor Hodge --

CR ROSE HODGE: No, look, I think that's pretty clear, I'm happy with that. I'm sorry to the officers for that, but I think it's fair to the community with a new design that only a small group has seen, put it out there. I'm sure and I'm hoping that it comes back positive and we can get on with it. It's been stalled long enough and I think seven days isn't a lot to ask of the community. But I do appreciate the work the officers will have to do behind the scenes.

MAYOR LIZ PATTISON: Thank you. Councillor Schonfelder?

CR ADRIAN SCHONFELDER: I'll just say very quickly that when the new CEO was appointed, she first came to Winchelsea with me and we had that lockdown that happened from Friday night over the weekend, so the CEO saw firsthand what the community has been through with lockdowns and with the original consultation it was affected by COVID, so I think this is wonderful, this amendment, and I support it.

MAYOR LIZ PATTISON: Thank you. Do any other Councillors wish to speak to this amendment? Councillor Wellington.

CR HEATHER WELLINGTON: Thanks very much. I'm obviously supportive of it and I'd like to thank Councillor Hodge for putting it forward. I have got absolutely no doubt that we'll hear really quickly from Winchelsea whether they love it, they like it, they can live with it or they hate it and that's about all we need to know, to be honest. There's not a lot of capacity, we can't do another 360 degree twist or add another, we haven't got the funding, I think we'll be lucky to get what we need for this, but we have to give the community the courtesy, in my view, of expressing their response to what's been put forward on their behalf and I really - it's so important to do this. I'm very grateful that there seems to be some support for it in the chamber. It's not going to be a lot of work for officers, I can absolutely guarantee that, and I think it's consistent with our engagement policy, which I think we're debating, if we get to it in the meeting, later on.

MAYOR LIZ PATTISON: Thank you. We'll now put the amendment to the vote. All those in favour. And the motion is carried unanimously - the amendment, sorry. So the amendment is carried, so we now move back to - so it's the motion that we all voted on there. So we do have - there are not many that haven't already spoken. Anyone that hasn't spoken to the motion, do they wish to speak? No? Councillor Wellington, would you like to have any closing?

CR HEATHER WELLINGTON: Thank you.

MAYOR LIZ PATTISON: There's a number of Winchelsea people that are all standing up ready to go, Councillor Wellington, so I just let you know.

CR HEATHER WELLINGTON: I just want to thank the Council for actually responding to that. I think it's a really good move. It does need to be a genuine opportunity, even though it's short, but it needs to be genuine, but it needs to be put to the community so that the community is clear on what the scope for change is at this point and it's not very big, but it is nevertheless, you know, there may be things people come back with that we can respond to.

The community is a sophisticated and intelligent community. We must never not consult because we're frightened we can't deal with what we hear. That should be an absolute rule and I'm really glad we're not going to do that with this - by the sound of it anyway. Hopefully everyone will support this motion. I'm dying to hear what the community thinks and I'm sure that we'll be coming back at the next Council meeting saying people love this and are really happy with it. And it will do Council good in the longer term to have taken this opportunity and actually gone out to ask people what they think. And I again want to thank the people who were part of the group. They did a fantastic job, and the officers who worked with them, and I think we're in a much better place than we were several months ago. So thanks to everyone involved.

MAYOR LIZ PATTISON: Thank you. We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously. Thank you for your attendance, Winchelsea community, appreciate you staying with us for the two and a half hours. Thank you for coming in.

So it's now been two and a half hours, so we will adjourn the meeting for a short break. Do I have a mover - Councillor Schonfelder - and seconded by Councillor Barker. All those in favour. And we will adjourn the meeting for 15 minutes until 8.45. Thank you very much.

(Short break)

MAYOR LIZ PATTISON: Well, thank you, everybody. We now will resume our standing orders. Can I have a motion to - thank you, you know what I'm talking about. Thank you, Councillor Gazzard, and seconded by Councillor Hodge. All those in favour. Gary, can you hear us? Are you voting in favour of resuming? Thank you. That's carried unanimously.

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We'll now move on to 4.5, Community Engagement Policy Review. Do we have a mover - oh, sorry, the purpose of this report is to seek Council's endorsement for the Draft Community Engagement Policy for the purpose of public exhibition. Do we have a mover of a motion? Councillor Bodsworth. And a seconder? Councillor Gazzard. As per --

CR MIKE BODSWORTH: Yes, thanks, it is as per the recommendation.

MAYOR LIZ PATTISON: It's as per the recommendation. Councillor Gazzard, you've seconded, thank you. Councillor Bodsworth, would you like to speak to the motion?

CR MIKE BODSWORTH: Yes, thanks, Mayor. So I'm strongly supportive of the changes that we've seen in this policy review which I think make the policy clearer and more concise. I think in our discussion of the last item around the Mud Hut, that's a really good example of the importance of good community engagement processes.

In that case, I think that example highlights something to me which I think perhaps we could try to improve on, which I think a bit like the auction process where you say "going once, going twice, sold". There's a moment in projects like that where there's a decision making point where you're locked into a certain sort of outcome or conclusion to the project, and I think with the Mud Hut that sort of decision point of being locked in to the project going forward was not understood as such in that consultative process.

I think it's important and several Councillors have talked about reviewing that process and identifying what we can learn from it and I think that that's one of the good things that this policy review does is that it's about learning from our experience in community engagement.

So I see that that's happened well and this is a good improvement on the previous iteration of the policy.

I'm just checking my notes to see what else I had. Just another thing is just a really basic thing. It's important to contact the organisation and to contact Councillors for community to involve themselves in both projects and ongoing programs that Council runs. So yes, we have a number of channels for people to contact us and to make their perspectives clear and I just encourage everybody to pursue those channels. So yes, thanks to officers who've worked on this and I recommend to Councillors that we endorse this policy.

MAYOR LIZ PATTISON: Thank you, Councillor Gazzard?

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CR KATE GAZZARD: Thank you. I also will endorse this policy review to go on public exhibition for four weeks. There's been existing community engagement about our community engagement policy and the key findings show that our communities are active and engaged with a high level of interest in local issues.

There's an important focus on First Nations reconciliation and inclusion of traditional owner voices as a priority and that's been written into the principle, our commitment to reconciliation and working with traditional owners and hearing their voices and perspectives, so I'm really very supportive of that, and encouraging diverse input and seeking out minority groups and voices is all an important part of our engagement.

We obviously represent our communities, but it's really so important to hear from all areas and not just our own echo chamber and I think being on Council has really taught me a lot about having diverse points of view and robust conversations. So, yes, I think the policy going out for review will be hopefully well received.

MAYOR LIZ PATTISON: Thank you. Do any other Councillors wish to speak to the motion? Councillor Wellington.

CR HEATHER WELLINGTON: Yes, thanks very much. You know, the principles of the policy are fine. It will be interesting to hear what the community has got to say about them. I consider engagement absolutely critical, and engagement is a bit of a buzz word really, but listening to people, I ask, "What do you think about this - it's actually going to impact on your lives, your community, your enjoyment, what do you think?", it's so critical to get it right and we do have to learn when it doesn't go well. And I'm not sure that - a lot of us have talked about we need to learn from the Mud Hut, but whether there will ever be a process to work out what actually did go wrong there and I think it's been recouped really well, but at a significant additional cost and there's a lot of additional work.

I actually think it would do Council well to think about engagement activities within Council as well as outside Council. This Council - Councillor Barker said tonight, "Nobody listens to me". I don't say nobody listens to me, but certainly the majority don't most of the time. That's a problem when people feel that way and I would have thought, with all the leadership we like to display, that there would be some leadership and not just blaming people for it, which is what happens at the moment.

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So that's just a thought. Maybe we could have an engagement process within Council as well as with the community. I certainly support good engagement with the community and learning from when it doesn't go well and I'm happy to hear what the community has to say about this policy and the reality is most people find policy really boring and we're unlikely to get a lot of feedback, but maybe we will get some useful feedback on it. We should certainly give people the opportunity. Thank you.

MAYOR LIZ PATTISON: Thank you. Councillor Bodsworth, do you have any closing remarks?

CR MIKE BODSWORTH: No, thanks, Mayor.

MAYOR LIZ PATTISON: We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to Development Plan Application 22/0546 Surf Coast Aquatic and Health Centre 1 Merrijig Drive Torquay. This item seeks Council's consideration of an application for approval of a development plan for land at 1 Merrijig Drive Torquay to facilitate the Surf Coast Aquatic and Health Centre. Do we have a mover of a motion? Councillor Hodge - as per the recommendation? And a seconder? Councillor Schonfelder. Did you wish to speak, Councillor Hodge?

CR ROSE HODGE: Yes, thank you. This development plan is the final stage, with other stages of the development already approved for the balance of the land in the Torquay north residential precinct. The development plan is considered in accord with the relevant provisions of the Surf Coast Shire Planning Scheme and City Precinct. The new scope includes the 25 metre indoor pool this time.

The development plan is the layout and it talks about key considerations, a liveable community, urban landscape, access and mobility management, utilities and site management. So the report by Urbis has got all that information in it. It's a fairly lengthy one, but it really shows in detail where most things are going, even drainage, and the Department of Transport have also been informed and have fed into it.

The Development Plan Overlay requires a development plan so this can be done prior to the permit and this document goes into a lot more on the site. So I am for this document. It's been a long time coming. If you actually look, you'll see the design of what we're trying to do and I think if it does go ahead after tenders come in, it will be an absolute terrific community asset just

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outside our space here, but we need to go through these processes and this is the one for the development plan application which I'm happy to move.

MAYOR LIZ PATTISON: Thank you. Councillor Schonfelder, do you wish to speak?

CR ADRIAN SCHONFELDER: No, thank you.

MAYOR LIZ PATTISON: No. Do any other Councillors wish to speak?  
Councillor Barker.

CR PAUL BARKER: History will not look kindly on this decision if it's approved.

MAYOR LIZ PATTISON: Would you like to have any closing remarks, Councillor Hodge?

CR HEATHER WELLINGTON: Can I speak?

MAYOR LIZ PATTISON: Sorry, Councillor Wellington.

CR HEATHER WELLINGTON: I just wanted to ask a question about this. If the aquatic centre isn't funded and its scope has to be reduced, is this development plan sufficiently flexible to enable that to be done?

MAYOR LIZ PATTISON: I'll pass that one on to our CEO.

MS ROBYN SEYMOUR: That's a good question, Councillor Wellington. My understanding is that it is flexible. It shows the broader footprint, not the specifics, so that should be achievable.

MAYOR LIZ PATTISON: Did you want to speak to the motion, Councillor Wellington?

CR HEATHER WELLINGTON: No.

MAYOR LIZ PATTISON: Councillor Hodge, did you have any closing remarks. We'll put the motion to the vote. All those in favour. And the motion is carried - sorry, and against? Thank you, Councillor Barker. And the motion is carried 7-1.

We now move on to item 4.7, 2023-2031 Creative Places Strategy. This report seeks Council's endorsement of the Draft Creative Places Strategy 2023-2031 for the purpose of public exhibition. Do we have a mover of a motion?

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Councillor Allen. And a seconder? Councillor Barker. Councillor Allen, did you wish to speak to the motion?

CR GARY ALLEN: Yes, thanks, Mayor, as per the recommendation. If the Draft Creative Places Strategy is endorsed for public exhibition tonight, it will be on display for a month for community feedback. The draft strategy, informed by extensive research and supported by case studies, responds to the principle that the Council should promote cultural activities, artistic endeavour and creative industries as outlined in the Council plan.

The comprehensive strategy document provides a framework for the arts and the creative sector outlining three strategic areas - place, people and profile - and there are 7 goals and 34 actions listed. As stated in the agenda papers, the draft strategy strikes a balance between ambition and available resources.

If I may be indulged to give some Lorne examples which are highlighted in the case studies in the document, firstly that of Lorne Community Connect. Seven years ago a volunteer group of residents repurposed the Lorne Senior Citizens' Club, which had ceased to operate in the shire-owned venue. They created a centre for the promotion of the arts in many of its forms. The facility is now used for exhibitions, an artist-in-residence program, a studio space for individuals, and community art and craft groups. They hold book reviews, workshops and performances. The space is also used by the local hospital for exercise classes as a potential testing space, all of this run by a group of volunteers supported by the shire through the asset renewal and management program.

This asset may well have been lost to the community if the available resource had not been reimagined for artistic and creative purposes. It is a very good example of ambition using limited available resources.

The economic gains made from creative and artistic events in our township economy is obvious. For example, in Lorne the sculpture Biennale, it's conservatively estimated to contribute \$2.3 million over a four-week period, which I think probably is an underestimate as local spending is excluded from the figure and I'm sure many Lorne people spend in the Biennale and forgo spending outside. So I think there may be a lot of expenditure directed towards the Biennale.

More broadly, the public display of sculpture in Lorne stimulated by the Biennale, again another case study for the place, people and profile strategies, creates a public display of an artistic form that we appreciate to varying

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degrees. However, I believe the greatest value is in the way that we are all educated in artistic language, which in my view leads to a greater acceptance of diversity, enhances our emotional intelligence and expression, and may improve our mental health.

I also see the stage as the last true bastion of free speech, where prejudice can be challenged, including what we now refer to as political correctness, and here I pay tribute to the contributions made by the late Barry Humphries, who challenged norms and made us both laugh and squirm.

I'm very pleased that the strategy looks beyond Torquay, important. As the MAC Ashmore arts and proposed cultural centre are, the Anglesea arts space and the Sound Doctor, Lorne community connect, Deans Marsh Spark, the Marjorie Lawrence in Winchelsea, Eagles Nest Gallery in Aireys Inlet, to name just a few that are mentioned in the document, all point to the growth in the arts and creative spaces and industries in the outlying townships, and the importance of the Surf Coast arts trail cannot be overestimated in sustaining this trend.

As you may well gather, I value the contributions of the artistic, cultural and creative all very highly. However, I believe that in Australia we do not resolve the sector in line with its value. However, here with this draft strategy the Council is making a statement of action and intent. We will greatly value the feedback that the community gives and I pay tribute to the officers for the detail and direction contained in this excellent report.

MAYOR LIZ PATTISON: Thanks, Councillor Allen. Councillor Barker, did you wish to speak to the motion? Do any other Councillors wish to speak? Councillor Bodsworth?

CR MIKE BODSWORTH: Just to echo Councillor Allen's remarks and I also find it an excellent strategy. There were a few things that I wanted to mention specifically, but I'm not going to in the interests of time. It's just an excellent strategy. Yeah, I just love how it recognises the contribution of these activities to our sense of place and to local town character and community cohesion and factors like that that are sometimes overlooked. So I just think it's great in its scope, in its creativity as a document and, yeah, I think it's a good platform for us to work to try to ensure that arts and creative industries prosper in the Surf Coast.

MAYOR LIZ PATTISON: Thank you. Councillor Allen, did you have any closing remarks?

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CR GARY ALLEN: Thanks, Mayor. You may be (inaudible) through our history we continue to perpetrate atrocities, but it seems to me that although they continue in many forms, we are now more aware of them than ever before. I believe that artistic expression and the creative form have been very important conduits in this process and in making my remarks tonight, I pay my very personal tribute to the late Denis Spiteri. Thank you.

MAYOR LIZ PATTISON: Thank you, Councillor Allen. We now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to the much awaited 4.8, Karaaf program update. Thank you, Darren, for seeing us through. It's 9.03, so for anyone watching, well done. Darren Noyes-Brown is sitting here with us for this Karaaf program update. So this report has been presented to Council to provide an update on the Karaaf Wetlands program of projects. Do we have a mover of a motion? Councillor Bodsworth, and seconded by Councillor Gazzard. Councillor Bodsworth, as per the recommendation?

CR MIKE BODSWORTH: Mayor, I noticed that Councillor Gazzard had her hand up first, so if she wishes to move --

CR KATE GAZZARD: I don't mind.

CR MIKE BODSWORTH: I'm happy to move the motion. Look, we covered a fair bit of ground in question time this morning, so I don't want to rehash those issues. I think, as the CEO noted in one of her answers to one of the questions earlier on, there's a large degree of catch-up involved in what we're doing now. So the result that we see out there in the Karaaf now is the result of a lot of different decisions that have been made over a long period of time and I think we've learned a lot about those decisions and the rights and wrongs of those decisions and that learning process is still in its quite early stages.

Tribute was paid earlier on to Darren and Andy McCauley and the others, Glenda Shomaly and others who've for many years advocated for the Karaaf and pointed out to us the problems with some of our infrastructure and in the way that we manage it and in the way we're operating and in the way that we've responded to their concerns containing a certain amount of denial and obstruction, I think. That's my perspective from the sort of earliest days of our Council.

I'm super happy to see the ways in which that's changed. I think there's been a real sort of cultural change within both the organisation and with this new

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Council that have helped us do a better job with the sort of complicated picture that's around the Karaaf and I think that that's expressed really well in this Karaaf program update. I think the program itself is really well structured where it divides the work up into different projects which are all sort of achievable chunks of work.

But, yeah, I hasten to add that I think we all acknowledge that there's things that still aren't being done right and I know that there's a lot of commitment across the Council to continue to improve and to do things better and I know that's true of the officers in the organisation as well.

Sediment capture was talked about to remove sediment from sediment ponds to avoid silting up functional wetlands. It's obviously one big issue, particularly during construction phases, as Darren pointed out earlier on. That's something that perhaps we haven't done well enough in the past.

Look, I won't go on. There's a number of points there. But in the bigger picture view, I'm really happy with the progress that's been made, and that continues to be made, and I thank people like Darren for the sort of pressuring us to continually do better and I say keep it up and we are going to continue to try to do better. Thank you.

MAYOR LIZ PATTISON: Thanks, Councillor Bodsworth. Councillor Gazzard?

CR KATE GAZZARD: Thank you. I agree with what Councillor Bodsworth has said. I think it's really important we learn from our mistakes and also really closely monitor any intervention that it doesn't have secondary unintended consequences. So I think the diversion of water away from the Karaaf Wetlands to the mouth of Deep Creek will hopefully have a really good outcome for the Karaaf, but we also need to monitor the subsequent increased water in the mouth of Deep Creek.

I think it's likely that we'll need additional funding on top of the \$1.9 million from Federal Government and through ongoing advocacy, as we talked about in our advocacy priorities. I think this has been a really good example of collaboration with Council, with Barwon Water, with Parks Victoria, and really admirable championing from the community which I really admire. So thank you again to the members of the community present today and to the community reference group and program control group.

I think one of the really important things is that we do really hold the developers accountable and ensure that any future development or even the current developments are properly being - that their stormwater is properly

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being managed and we know they have the money to do it, so we need to I think be stricter on current and future developments. Thank you.

MAYOR LIZ PATTISON: Thank you, Councillor Gazzard. Councillor Wellington.

CR HEATHER WELLINGTON: You know, the recommendation is that we note this report, which I'm sure we'll all do.

I'm just kind of shocked that we've declared an environmental emergency, but we will sit here and say, "Look, we need to do better" and, you know, "we accept we made mistakes in the past and we hope we'll learn from them". I've seen nothing anywhere that suggests there is actually a process that will ensure we learn from the mistakes in the past.

I don't see anything in this report that talks about actually measuring the quality of water going into the Karaaf and being really accountable for it, so this is all about process. The proposed diversion of 40 to 50% of all flows, obviously that's going to be a good thing, but I agree with Councillor Gazzard, there's nothing here that talks about the impact on Deep Creek and Deep Creek is also going to be impacted by other developments around it and, you know, potentially we might be just shifting from one problem to another. We need to actually stop the flow of polluted water into this system and we need to clean it before it gets to the bottom of the system and I just don't think there's evidence, there's adequate evidence that we're even achieving that.

So this is nice, steady, we're getting federal money, another \$1.9 million to probably spend on diversion, which may or may not come to fruition because of - it may actually not be a feasible strategy anyway. I don't understand from this report why we previously had diversion and why it stopped. I don't understand what we've done to address the problem that we clearly underscoped and allowed developers to develop infrastructure that wasn't adequate and then in some circumstances, perhaps a lot, we appear to have accepted from them when it wasn't working properly or it wasn't properly designed or it wasn't properly built.

I'm still not exactly clear - Councillor Gazzard would know this because she's a paediatrician. She would know in health care that if you had a major problem like this, you would go back and you would establish the fact what actually happened to cause this. I've not seen any process that does that, other than driven by the community.

I'm really disappointed. You know, this is the thing, I would like to declare an emergency about the Karaaf, so maybe I'll do that at the next Council

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meeting, seeking support from Councillor Allen or Councillor Barker, as they're probably the only two that would support it potentially. But why haven't we got an environmental emergency declared about this piece of land which is under our control? So it's something that we can really do something about and we haven't. We're just involved in the process of process. And I don't think we've addressed the fundamentals as to why it happened, how we're going to stop it happening now and in the future, so I'm very disappointed, but I will note it, so I will support the motion. Thank you.

MAYOR LIZ PATTISON: Thank you. Councillor Barker?

CR PAUL BARKER: Thanks, Mayor. Listened to Councillor Gazzard talking about unintended consequences and being more strict on developers in the future and then we also talk about housing affordability, and I can guarantee you that if we are more strict on developers in their stormwater management, guaranteed that housing affordability is going to get out of control.

I'm not opposed to taking measured, effective change, but continuing down this path of using other people's money, it doesn't actually create an effective disincentive to the organisation to do better in the future. If we just continue relying upon taxpayer funds from federal or state or whatnot, we'll just keep doing the same negative outcomes and - oh, we're not going to evolve. Like I know we live in a marginal electorate, so there's always money up for grabs at all these elections, but this problem was caused by this organisation and it should be this organisation that coughs up the funds to pay for the rectification works.

I'm happy to support the motion given that it's just noting, but we've got to take ownership of this and if we don't take responsibility, it's just going to keep happening again time after time.

MAYOR LIZ PATTISON: Councillor Bodsworth, did you have any closing remarks?

CR MIKE BODSWORTH: Just to point out that the area, the Karaaf Wetlands is not under our control. We're obviously an important neighbour and we may have been a bad neighbour in the past with both the quantity and the quality of water that we've allowed to go down the Karaaf, but we're not the manager of the Karaaf and one of the most important things about this program is that it brings a bunch of different land managers together to work together, which has not happened in the past, and that's an important part of ensuring better health for the Karaaf in the future as well. And also to note that we're not just using grant funding, although that's the biggest part of what we hope we'll be

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able to use to fix the problems. We're using whatever we can afford to use of our own funds as well. So we certainly are putting in the best effort that we can make, but otherwise thanks.

MAYOR LIZ PATTISON: I'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to item 4.9, Funding Opportunity Update - Country Football Netball Program. Thank you to those that are heading off, appreciate your attendance. Funding Opportunity Update - Country Football Netball Program at Stribling Reserve. This report seeks Council's ratification of the funding application submitted to the Country Football Netball Program 2023 for the Stribling Reserve Netball Court and Lighting Upgrade Project. Do we have a recommendation. Councillor Allen - is it as per the recommendation?

CR GARY ALLEN: As per the recommendation, Mayor.

MAYOR LIZ PATTISON: Thank you. And a seconder? Councillor Schonfelder. Councillor Allen, would you like to speak to the motion?

CR GARY ALLEN: Thank you, Mayor. The Country Football Netball Program is an annual grant program aimed at assisting country netball and football clubs. The maximum grant application is \$250,000. The Lorne netball court surface fits the non-compliant category in the criteria. The surface when laid some 10 years ago had an inappropriate foundation. In recent years, the surface moves and cracks, making the court dangerous for play and, if not rectified, it will require annual maintenance.

The past two seasons, the president of the club was concerned that the league would not certify the court for competition play. The reserve is part of our asset renewal program and will proceed irrespective of the outcome of this grant. I note that recently the football club held night games. However, the netball team cannot play at night as the current lighting is non-compliant and play must cease before dusk.

The Lorne Football Netball Club has agreed to collaborate with the Council and fund this work for the purposes of the application. It is an appropriate time to upgrade the lighting system at the netball court when the surface is being relayed to include the necessary lighting conduit. Earlier this month, the CATEO made a grants submission on the proviso that the Council ratifies the submission at tonight's meeting. Councillors, as this is the only project with allocated leverage funding deemed suitable for this application, I urge you to support this recommendation. Thank you.

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MAYOR LIZ PATTISON: Thank you, Councillor Allen. Councillor Schonfelder, did you wish to speak?

CR ADRIAN SCHONFELDER: Just very quickly. I know that when I've attended different sporting events, parents have said to me they know where their children are and it's so important from a safety point of view and also from, obviously, a health point of view and a mental health point of view to people gathering together and making friends and socialising.

I might just very quickly mention that we pay stamp duty, we pay income tax, so therefore federal and state governments get money from people living in the Surf Coast. So with grants, it's a way of us getting that money back. Thank you, Mayor.

MAYOR LIZ PATTISON: Thank you. Would any other Councillors wish to speak to the motion? Councillor Barker.

CR PAUL BARKER: You know my position on grants.

MAYOR LIZ PATTISON: Thank you. Did you have any closing remarks, Councillor Allen?

CR GARY ALLEN: No, thanks, Mayor.

MAYOR LIZ PATTISON: We'll now put it to the vote. All those in favour. And opposed? It's carried 7-1.

We now move on to 4.10, SCS-052 Borrowings Policy Review. This report seeks Council's adoption of the reviewed SCS-052 Borrowings Policy. Do we have a mover of a motion? Councillor Hodge - as per the recommendation? Thank you. And a seconder - Councillor Schonfelder. Councillor Hodge, did you want to speak?

CR ROSE HODGE: This is a policy that had to be reviewed and it has been, but the purpose is to create a sound financial framework on which Surf Coast Shire Council can undertake borrowings and manage its loan portfolio whilst adhering to sound fiscal management principles.

All the policy objectives are there to ensure Council's new borrowings are sustainable and comply with legislative requirements to manage cash flow and to provide an alternative funding source opportunity. This document has gone to the audit and risk committee and they made one or two slight changes,

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which was accepted, and the policy is as changed in the notes and I hope that it's accepted by the Councillors.

MAYOR LIZ PATTISON: Thank you, Councillor Schonfelder? No. Do any other Councillors wish to speak? Councillor Barker.

CR PAUL BARKER: I quote from the agenda, "This policy supports Council's goal of maintaining financial capacity to deliver services now and into the future through supported establishment of a sustainable financial position". Economic conditions continue to change in unknown ways that are detrimental to those in debt. I will not support any policy that exposes this organisation to greater financial risk than it currently is in. It's unsustainable.

I guarantee that most of us elected to this position will not be here when the impacts of this decision are felt, but for those of you who are, I do not envy the position you'll be in when having to explain what basic services will be restricted from the financial position the organisation will find itself in.

MAYOR LIZ PATTISON: Thank you. Councillor Wellington.

CR HEATHER WELLINGTON: It's really a question. Council's financial principle that borrowings must not be used to fund (inaudible) is obviously is an extremely sound principle, but used to fund asset renewal requirements, it seems - I'm surprised that we have that principle. It seems to me bizarre that we can fund new assets, but we can't fund failed assets that require renewal from borrowings. I just wondered is that correct that we have a principle that says that? And why would we distinguish between borrowing tens of millions of dollars to fund a new swimming pool --

MAYOR LIZ PATTISON: So, just to clarify, Councillor Wellington, so we can answer your question, are you seeking to understand around why renewal funding is not allowed through this borrowings policy?

CR HEATHER WELLINGTON: Exactly.

MAYOR LIZ PATTISON: Thank you. We'll pass that on to the CEO to respond.

CR HEATHER WELLINGTON: When we can fund new assets, but not renewal assets.

MS ROBYN SEYMOUR: Thank you, Councillor Wellington. I'll just refer that through to our General Manager of Strategy and Effectiveness.

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OFFICER: Yes, and it will be one I do need to take on notice, Mayor Pattison and Councillor Wellington. If I can take that on notice, I can get you an answer on that.

CR HEATHER WELLINGTON: Can answers come back to the public, is that possible? When we taken answers to questions asked in a Council meeting, how do the public know what the answers are? I wonder if it could be included in the minutes, for example.

OFFICER: Yes, perhaps we can take that on notice as well.

MAYOR LIZ PATTISON: Sounds good. Alright, Councillor Wellington, did you wish to speak to the motion?

CR HEATHER WELLINGTON: Oh, no.

MAYOR LIZ PATTISON: No, great. Did you have any closing remarks, Councillor Hodge? We'll now put the motion to the vote. All those in favour. And the motion is carried 6-1. Councillor Bodsworth has just stepped out.

We'll now move on to Project Budget Adjustments and Cash Reserve Transfers for April 2023. This report is presented for Council ratification and approval of proposed project budget adjustments and cash reserve transfers relating to the 2022-23 financial year. Do we have a mover of a motion? Councillor Allen. And a seconder? Councillor Schonfelder. Councillor Allen, is it as per the recommendation?

CR GARY ALLEN: As per the recommendation, Mayor.

MAYOR LIZ PATTISON: Thank you. And do you wish to speak?

CR GARY ALLEN: Just very briefly. I note that there's an additional \$250,000 been added to the upgrade to the Lorne transfer station, which brings the total for this project to \$2,100,000, which is a grant-funded project.

Just to explain it, the work involves the construction of additional bin bays, three of them, improved traffic flows and improved opportunities for the reuse and recycling of materials. There are also two closed projects, savings to the project savings account. Thank you.

MAYOR LIZ PATTISON: Thank you, Councillor Allen. Councillor Schonfelder? No? Do any other Councillors wish to speak? We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

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We now move on to 4.12, Award of Contract T23-007 Supply of Hotmix Asphalt and Bitumen Emulsions. This report seeks Council's approval to award panel contract T23-007 Supply of Hotmix Asphalt and Bitumen Emulsions. As part of the recommendation was redacted in public agenda, I will now ask for the unredacted recommendation to be shared on the screen. Do I have a mover in relation to the motion on the screen? Councillor Barker - as per the recommendation?

CR PAUL BARKER: Yes, Mayor.

MAYOR LIZ PATTISON: And seconded Councillor Bodsworth. Did you wish to speak to the motion, Councillor Barker? No. Councillor Bodsworth?

CR MIKE BODSWORTH: No, thanks, Mayor. I've read the papers and there's a clear procurement process being applied here and a clear choice of provider.

MAYOR LIZ PATTISON: Thank you. Any other Councillors? Councillor Wellington.

CR HEATHER WELLINGTON: I have a question. Why is it redacted in the public documents, but not now in the public council meeting?

MAYOR LIZ PATTISON: It's to do with Councillors being approached by members, my understanding. It's to do with confidentiality around parties and Councillors not being approached by public or those entities to persuade them to approve or not approve in relation to the contract awarding, but if others - Robyn, do you want to clarify that in a more concise way?

MS ROBYN SEYMOUR: Councillor Wellington, in this particular case, it is about not revealing to the market before Council makes the decision who the preferred provider is of these services before the decision is made. That's why it's redacted, but now that the decision is before you, you are able to then debate the decision in the public domain without any concern around undue influence.

MAYOR LIZ PATTISON: And the non-redacted version was available in the confidential section. So we had access to this information, it's just not been publicly available until now.

CR HEATHER WELLINGTON: No, I do understand that. I just - I don't know, that seems rather strange to me, but --

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MAYOR LIZ PATTISON: Did you want to speak to the motion?

CR HEATHER WELLINGTON: Well, just to make the point that that seems quite bizarre. I don't know where that - we've never done that before, to my recollection.

MAYOR LIZ PATTISON: Yes, we have. We've done that for the last few times in our Council meetings.

CR HEATHER WELLINGTON: Well, I'm not going to debate it with you, I'm just making my point. I appreciate the fact that it is public and a lot of this information needs to be done in confidential meeting and would only be released after the decision was made, but it seems to me that if Councillors shouldn't have the information about who the tenderers are before it's made public, then that should include when it's in the chamber.

MAYOR LIZ PATTISON: Sorry, Councillor Wellington, just to clarify, we had access to this in the confidential section of our agenda. So we have, as Councillors, had access to it. It's only the public that hasn't.

CR HEATHER WELLINGTON: I understand that, but it doesn't make any sense to me. I don't understand the rationale for that and I don't - I'm really pleased that we're actually - you know, we're debating this in public meeting, but I don't know where in our policies that is defined and I would have thought it should be after the decision is made that the public gets to see who we've decided on, not when it comes to the Council.

It's almost as though the decision has already been made, so then it's disclosed to the public in the Council meeting before we've voted on it, which doesn't seem correct at all because we're supposed to be debating it, we might not agree with it. I'm not saying we don't, but we might not.

So I don't understand the logic, that's all I'm saying, and I don't recall it happening before, but I understand, Mayor Pattison, you would have a different view, but it's not my recollection, but maybe I'm wrong.

MAYOR LIZ PATTISON: Thank you. Councillor Barker, did you have any closing remarks?

CR PAUL BARKER: No.

MAYOR LIZ PATTISON: No. We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

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We now move on to Award of Contract T23-024 Internal Audit Services. This report seeks Council's approval to award the contract for internal audit services. As part of the recommendation was redacted in the public agenda, I will now ask for the unredacted recommendation to be shared on the screen. Do we have a mover of a motion? There is this motion which is recommended on the screen. Do I have a mover of a motion? Councillor Bodsworth. Is it as per the recommendation on the screen?

CR MIKE BODSWORTH: Yes, it is, Mayor.

MAYOR LIZ PATTISON: It is. Councillor Wellington, were you wanting to second that motion?

CR HEATHER WELLINGTON: I'm happy to second it, yes.

MAYOR LIZ PATTISON: Great. Councillor Bodsworth, did you want to speak to the motion?

CR MIKE BODSWORTH: No, thanks, Mayor.

MAYOR LIZ PATTISON: Councillor Wellington?

CR HEATHER WELLINGTON: Well, I would like to say that (inaudible) really important for the audit and risk committee and it's an important contract and hopefully we'll get good service for the three-year period. Thank you.

MAYOR LIZ PATTISON: Thank you. Did you have any closing remarks, Councillor Bodsworth?

CR MIKE BODSWORTH: No, thanks, Mayor.

MAYOR LIZ PATTISON: We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

We now move on to 4.14, Councillor Expenses and Attendance at Meetings 1st of January to the 31st of March 2023 Quarter. This item presents a report of Councillors' allowances, expenses and attendance at meetings for the March 2023 quarter. Do we have a mover of a motion? Councillor Gazzard. Is it as per the recommendation? Thank you. And a seconder? Councillor Bodsworth. Would you like to speak, Councillor Gazzard? No. Councillor Bodsworth?

CR MIKE BODSWORTH: No, thank you.

## Draft Transcript

MAYOR LIZ PATTISON: Councillor Barker, would you like to speak?

CR PAUL BARKER: I do appreciate the breakdown of individual Councillor expenses.

MAYOR LIZ PATTISON: Great. Councillor Gazzard, did you have any closing remarks? We'll now put the motion to the vote. All those in favour. And the motion is carried unanimously.

4.14, Conflict of Interest Records. The purpose of this report is to present conflict of interest records received since the previous Council meeting. Do we have a mover of a motion, please? Councillor Hodge - as per the recommendation? And a seconder? Councillor Barker. Councillor Hodge, would you like to speak? No. Councillor Barker? No. We'll put the motion to the vote. All those in favour. And the motion is carried unanimously.

Now, there is no further business for the meeting, so I now declare the meeting closed at 9.30. Thank you, everyone, for your attendance. Good night.